THE HISTORY OF GREAT YARMOUTH.

COLLECTED FROM

ANTIENT RECORDS,

AND OTHER

AUTHENTIC MATERIALS.

L Y N N:

Printed and Sold by W. WHITTINGHAM; R. BALDWIN, *Paternoſter-Row*; H. GARDNER, *Strand*; W. LANE, *Leadenhall-Street, London.*

M DDC LXXVI.

FH
MVSEVM
BRITANNICVM

CONTENTS.

CHAP. I.

Page.

OF the *Etymology* and *Origin* of Yarmouth —— —— 1

II. Of the *Havens* of Yarmouth — 15

III. Of *Kirkley Road*, its union with Yarmouth &c. —— —— 59

IV. Of the various *Suits and Conteſts* in which Yarmouth has been engaged, reſpecting the rights and privileges of the town —— 73

V. Of the *Magiſtrates and Government* of Great Yarmouth — 126

VI. Of certain antient *Uſages and Cuſtoms* of the burgh of Yarmouth, obſerved and kept by the burgeſſes time immemorial —— 211

VII.

VII. Of Yarmouth *Free-Fair*, and the various diſputes between the *Cinque Ports* and Yarmouth, relative thereto —— —— 249

VIII. Of the *Fortifications* of Yarmouth, from the firſt foundation of the walls, to the preſent time —— 277

IX. Of the part Yarmouth took in the *Troubleſome Times* of Charles I. and II. —— —— — 308

X. Of *St. Nicholas's Church*, its donations, monuments, &c. —— 322

XI. A *Chronological account* of ſeveral particulars relative to Yarmouth 388

The

THE HISTORY OF GREAT YARMOUTH.

CHAP. I.

Of the *Etymology* and *Origin* of YARMOUTH.

THE name of this town is intirely appoſite to its ſituation, from which, indeed, like many others, it is taken. *Yarmouth* is as expreſſive of the *Yare's Mouth*, or the *mouth* of the river *Yare*, as a compound word can be. The Saxons called it *Garmud*, and *Fiermud*; (the pronunciation of their *d* being ſomewhat like our *th*) that is, the *mouth* of the *Garienis*, or *Yare*; which river riſes about the middle the county, and, after receiving into it the

Waveney and Bure, * here diſembogues itſelf into the German ſea. It had the epithet *Great* added to it in the reign of Edward I. in order to diſtinguiſh it, as ſome ſay, from *Yarmouth* in the Iſle of Wight, but others, with more probability, make it the diſtinction between this and *Little Yarmouth* in Suffolk.

It is ſtill a diſputable point whether this be the *Garianonum* of the ancients or not. Camden ſays, "I dare not affirm that this "was the old *Garianonum*, where formerly "the Stableſian horſe lay in garriſon againſt "the barbarians; nor yet the neighbouring "little village Caſtor, (formerly the ſeat of "Sir John Falſtaff, an eminent knight) famous amongſt the inhabitants, on account "of its antiquity; though there is another "report that the river *Yare* had another "mouth juſt under it. But as I am thorough-

"ly

* The *Bure* abounds with excellent perch, as does the *Yare* with a fiſh peculiar to itſelf, called a *Ruff*, of which latter it may not be unentertaining to give Mr. Camden's deſcription. "The colour of the back, ſays he, is of a "dark brown, the belly a paliſh yellow. Along the jaws "it is marked with a double ſemicircular line; the upper "half of the eye is a dark brown, the under yellowiſh, like "gold, and the ball black. It is particularly remarkable for "a line drawn along the back, like a croſs thread tied to "the body; the tail and fins are all over ſpotted with black. "When it is provoked its fins briſtle up: when quiet they "lie flat and cloſe. It eats like a perch, and is particularly valued for its ſhortneſs and wholeſomeneſs."

" ly convinced, that the *Garianonum* was at
" Burgh-caſtle in Suffolk, which is ſcarce
" two miles diſtant from the oppoſite bank of
" the river, ſo am I apt to think, that Yar-
" mouth roſe out of its ruins, and that this
" Caſtor was one of the Roman caſtles,
" placed alſo at the mouth of the river Yare,
" now ſhut up: for as the north-weſt wind
" plays the tyrant upon the coaſt of Holland
" over-againſt this place, and has ſtopped up
" the middle mouth of the Rhine with ſands,
" in like manner has the north-eaſt damaged
" this coaſt, and ſeems, by ſweeping up
" heaps of ſand, to have obſtructed this har-
" bour, for the cleanſing and keeping open
" of which, many ſtatutes have paſſed in
" parliament, in regard to the great impor-
" tance thereof, for carrying on the trade and
" navigation of thiskingdom. Nor will it be
" any injury, if I call this our Yarmouth (ſo
" nearly joined to the old *Garianonum*) Gar-
" ianonum itſelf; ſince the Garienis, from
" whence it had its name, has now changed
" its channel, and enters the ſea below this
" town, to which it alſo gave name; for I
" cannot but own this Yarmouth is of a later
" date; for, when that old Garianonum was
" gone to decay, and there was none left to
" defend this ſhore, Cerdick, the warlike

" Saxon, landed here, from whence the place " is called by the inhabitants at this day, " Cerdick-ſand, and by other hiſtorians Cer- " dick-ſhore; and when he had harraſſed the " Iceni with a grievous war, he ſet ſail from " hence for the weſt, where he ſettled the " kingdom of the weſt Saxons. And not " long after, the Saxons, inſtead of Gariano- " num, built a new town in that moiſt wa- " try field upon the weſt ſide of the river, " which they called Yarmouth; but the ſitu- " ation thereof proving unwholeſome, they " removed to the other ſide of the river, " called then, from the ſame Cerdick, Cer- " dick-ſand, and there they built this new " town, wherein there flouriſhed, in the " time of Edward the Confeſſor, ſeventy " burgers."

On this ſubject Sir Henry Spelman, in his Icenia, ſays, " Yarmouth is neither the real " Garianonum nor different from the real; " for the ſituation of both was at the mouth " of the river Garienis, from which, alſo, " both were named; but the one received " its name from the old channel, the other " from the new; and both in that ſpace of " the ſhore where Cerdick, a Saxon, in the " year of our Lord 495, with Cenrick his " ſon, and five ſhips, entering the port, put

" the

" the oppoſing Britons to flight, and named " the port Cerdick-ſhore, as Ethelwerd re- " lates." And a little after he goes on; " the " river (Yare) deſerting its channel, has con- " ſigned to oblivion the antient ſituation of " Garianonum. The marks of both the ſitu- " ation and the river are very uncertain. " Two places ſeem to claim it; Burgh-Caſtle, " in the county of Suffolk, which at this " day hangs over the ſouth ſide of the river, " and Caſtor, a little village about 4 miles " diſtant, to the north. Both exhibit ſome- " thing of the Roman: the former a four- " ſided, oblong, pitched camp, crowned with " a wall, but too remote from the ſea, and " in a place ſo ſurrounded with marſhes and " narrow paſſes, as to be an incommodious " ſituation for troops of horſe; the latter, on " the ſhore itſelf, diſcovering alſo the ruins " of a wall and fortification, in an open " plain, very commodious for the excurſion " horſe and for the defence of the ſhore, " which was given in charge to this Count " * and this cavalry; for the interior and " midland parts were guarded by another " count, and rather with cohorts of foot, " than troops of horſe. I therefore place

* The count of the Saxon ſhore.

" Garianonum at Caſtor, tho' Camden was " pleaſed with Burgh."

Of theſe two great authorities I am inclined to favor the latter, as Sir Henry Spelman's reaſons ſeem to be the moſt cogent and deciſive. This Garianonum, which we may conclude was at Caſtor, was an ancient fortreſs of the Romans, where their Stableſian horſe were ſtationed, under the command of the Count of the Saxon ſhore, (who was hence called Gariannonenſis) in order to guard the ſhore from the frequent inroads of the Saxon pirates; he had in all under his command 2200 foot and 200 horſe, which were ſtationed at different places on the coaſts of Norfolk, Suffolk, Eſſex, Kent, &c. which had then the denomination of the Saxon Shore, from being ſituated nearly oppoſite to the native country of the Saxons, a warlike people of Germany.

Burgh-Caſtle, however, tho' we may be diſinclined to think it the Garianonum of the ancients, muſt not be held in leſs eſteem for its antiquity, ſince it is evident from many circumſtances that it was a Roman ſtation, as well as Caſtor; *Romanam oſtendunt ambo ſpeciem.* This is, in a great meaſure, confirmed by the many Roman coins and pieces of urns which have been found at both places; but more

more particularly at Caſtor, in a place called the Eaſt Bloody-Burgh Furlong; and it is obſervable that the date of the coins found at Caſtor are more antient than thoſe at Burgh-Caſtle; hence it may be inferred, that Caſtor was the firſt fortreſs on this coaſt, the river Yare emptying itſelf into the ſea, not far from thence, at a place diſtinguiſhed by the name of Cockle Water, alias Grubb's Haven, many centuries after. But the courſe of the river ſhifting more to the ſouth, occaſioned by ſtrong north-eaſt winds blocking up the mouth with ſand and gravel, it is probable another ſtation might be thought neceſſary, and one might accordingly be made on the ſouth ſide of the river.

The ſituation of theſe two ſtations, upon fine eminences on either ſide of the river, and in ſight of each other, was extremely well adapted for the troops, who might, on any emergency, give intelligence to each other, by ſignals, and ſo command the adjacent ſhore, and entrance into the river, to greater advantage than if there had been but one ſtation.

Cerdick-ſand, or Cerdick-ſhore, of which mention has been already made, ſeems to have been a great ſand-bank formed along the ſhore, between two branches or channels of

the Yare, called havens, by which two channels the river then entered the ſea; one running near Caſtor, the other near Gorleſton. By the former of which, from many concurring circumſtances, it is imagined, that Lothbroch, the noble Dane, whoſe ſtory is related by Sir Henry Spelman, entered, in his paſſage to Reedham, where he landed. The ſtory has, indeed, ſomething of the marvellous in it, but being ſo ſeriouſly related, and by ſuch reſpectable authority, I cannot reſiſt the temptation of giving it at length, as it alſo bears ſome relation to the topography of the place we are treating of.

"At the confluence of the Yare with the "Waveney, ſays he, three miles from Yar-"mouth, the little village of Reedham, the "ſeat of the Barneys, appears juſt out of the "marſhes, having its name from its reedy "ſituation; but by the miraculous arrival of "Lothbroc, a noble Dane, equally cele-"brated and unfortunate. I will revive the "melancholy tale——This Lothbroc, of "royal race, after he had begotten two ſons, "Hinguar and Hubba, and was alone ſome "time in a boat, hawking for birds, by the

"iſlands

" iſlands near Denmark, was driven by a
" ſudden tempeſt over the breath of the ſea,
" and is carried into the mouth of the Yare,
" as far as Reedham. The inhabitants
" brought the ſtranger, as they had found
" him, alone, with his hawk, to Edmund,
" king of the Eaſt-Angles, whoſe palace was
" Caſtor, 10 miles from thence. The king
" is aſtoniſhed at the man's figure and for-
" tune, and receives him with a countenance
" and manner ſo engaging, that Lothbroch's
" affection for his own country was preſently
" alienated. He is alſo delighted with the
" diverſions of the courtiers, eſpecially hunt-
" ing; to be more expert in which, he aſ-
" ſociates with Bern, the king's huntſman;
" and in ſo ſhort a time excels his maſter,
" that, ſtung with envy, he privately mur-
" dered him in the woods, whither he had
" ſeduced him. While Lothbroch was miſ-
" ſing, the vigilant greyhound that he had
" kept, gaurded the body of his murdered
" maſter; but being compelled by hunger,
" now and then viſits the hall, and being
" obſerved by the king's ſervants, he is fol-
" lowed by them to the body. Bern is there-
" fore found guilty, and by judgment of the
" king's court, is put into Lothbroch's boat,
" alone, and deſtitute of every inſtrument

" of

" of navigation; and being committed to the " waves and winds, it was his fortune to " be carried to Denmark. The boat being " there known, he is examined on the rack, " concering Lothbroch's death; and, in or- " der to be delivered from the torture, pre- " tends that he was murdered by Edmund, " king of the East Angles. Hinguar and " Hubba now vow the bittereſt revenge; and " having raiſed an army of 20000 armed men, " with Bern for their guide, ſuddenly ravage " all East Anglia. They ſoon after take king " Edmund, ſcourge him, and afterwards " wound him with arrows, behead him " with a ſword, and hack him in pieces, to " be canonized. Thus the kingdom of the " East Angles expired with its king, in the " year of grace 870, &c. &c."

What SirHenry Spelman would infer from this ſtory, is, that Yarmouth was not in being at that time, and conſequently that Reedham is more ancient than Yarmouth; *Magnâ Yermuthâ antiquiorem eſſe.* " For, ſays he, " if Yarmouth was inhabited when Loth- " broch was driven hither, there is no " doubt but he would, with his cry, have " implored aſſiſtance, and, wearied with " hunger and fatigue, had proceeded no fur- " ther up the river." This, however, ſuppoſing

poſing the ſtory to be true, (which, I muſt acknowledge, requires a pretty large portion of credulity to admit of) does not yet amount to a proof; becauſe it muſt ſtrike any perſon, that a man half dead with the fatigue of ſuch a voyage, and almoſt famiſhed for long want of ſuſtenance, on entering a broad river, with a rapid tide, could make but very feeble efforts to go to this or that place, and perhaps ſo far ſpent as to be ſcarce heard at a ſmall diſtance, ſhould he endeavor to call for aſſiſtance, ſo that it is as probable that Lothbroch ſhould have been driven by the tide, upthe river, as far as Reedham, as that he ſhould have made for either Yarmouth or Caſtor, or it is poſſible that he might have been driven up the river in the night, and ſo have eſcaped obſervation. I muſt needs think, therefore, that Sir Henry's tale is more entertaining than his inference is concluſive. But to return to Cerdick-ſhore:

It is ſaid, that after the Romans had evacuated Britain, and the Saxon adventurers had carried the news of their good ſucceſs here, into Germany, this place was found to be very commodious for landing of troops, and as new adventurers were daily pouring into the kingdom, Cerdick made the firſt decent in theſe parts, and, as above related,

gave

gave the name to it, which it bears at this time, and which according to Brompton, is our Yarmouth. For when the Saxons had got ſolid footing in England, and had firmly eſtabliſhed their own government, as things began to wear a more peaceable aſpect, and trade and commerce began to rear their heads, ſuch a ſituation as this, ſo well adapted to foreign and domeſtic commerce, navigation and trade, could not long eſcape the penetrating eye of the Saxons; who (as Camden has above obſerved) built a new town, in lieu of the old Garianonum, on the weſt ſide of the river, till the unwholeſomeneſs of ſo moiſt a ſituation, and other inconveniences, induced ſome of the inhabitants to remove to the oppoſite bank, (Cerdick ſhore) already encreaſed in bulk and firmneſs, and there laid the foundation of Great Yarmouth.

Hence is evident the futility of ſome accounts of the origin of this town, which would have it, that in the time of Canute it was a ſand in the ſea; that it only began to be ſeen at low water in Edward the Confeſſor's time, and to be dry land from 1040 to 1090, when it was no longer overflown; that then fiſhermen began to reſort hither, and build tents, in which they reſided, at leaſt, during the time of their fiſhing for herring, &c.

But

But, however the circumſtances of theſe accounts may be founded in truth, the anachroniſm is a glaring error, as is plain, from the ſtate of the town, at the grand ſurvey of the Conqueror, as it is preſerved in that authentic record of this kingdom, Domeſday book, where we find this account of it.

* *Hundred of East Flegg.* King Edward held Yarmouth. There were always ſeventy burgeſſes. It was then valued, with two parts of the ſoc of three hundreds, at 18*l.* by tale, and the earl's part was 9*l.* by tale. The king's two parts are now 17*l.* 15*s.* 4*d.* blancs, and the earl's part is 10*l.* blancs; and the ſheriff has four pounds and one hawk, in the time of King Edward, for a fine. Theſe four pounds the burgeſſes give gratis and in friendſhip.

In the ſame, Almarus the biſhop had, in King Edward's time, a certain church of St. Bennet; William, biſhop of the dioceſe, has the

TERRA REGIS.

* *Eſt. H. de Flec.* Gernemwa ten' Rex E. ſemper LXX burgenſes. Tunc val. cu' duab; partib; ſoche de tribus hundretis xviii lib. ad numerum, et pars comitis xi lib. ad numerum. Modo due partes regis xvii lib. et xv ſol. et illid. blancas; et pars comitis x lib. blancas; et vicecomes h't iiii lib. et i accipit'e t. r. e de gerſuma. Has iiii lib. dant burgenſes gratis et amicitia.

In eadem, habuit t. r. e. Almarus epis. quanda' eccleſiam benedicti. eandem modo h't W. ep's de epiſcopatu et val. xx ſol. Totum reddit xiid de gelto.

he ſame now, and is valued at 20*s*. The whole pays 12*d*. gelt.

"What theſe burgeſſes were (that are men-
" tioned in the above extract) the ſurvey it-
" ſelf, ſays Dr. Brady, makes no mention;
" but in a controverſy that happened be
" tween the burgeſſes of Yarmouth, and the
" tenants of the manor of Lothingland, in
" Gorleſtone and Little Yarmouth, in the
" 12th year of Henry III. about lading and
" unlading of goods, &c. it appears that
" they were merchants and traders at ſea.
" That the kings of England had kept this
" burgh in their own hands, and received,
" by their officer, the profits of the port,
" untill the 9th year of the reign of King
" John." Hence it is obſervable, that long before that king's incorporation charter, Yarmouth was called a burgh, and the merchants and traders burgeſſes. And it is remarkable that Domeſday book makes no mention of villains, borderers, ſervi, &c. whence it might be inferred that theburgeſſes of Yarmouth were always free, tho' not in ſo extenſive a manner as after the grant of King John's charter, which gave them liberty to buy and ſell without moleſtation, exempted them from toll, releaſed them of that uncertain cuſtom of rent, &c. and granted them

ſeveral

ſeveral other immunities, which they had not before.

CHAP II.

Of the HAVENS *of Yarmouth.*

THOUGH we meet with no records prior to the reign of Edward III. that can lead us to aſcertain the many and great difficulties and expences attending the haven of Yarmouth, yet, from the nature of the thing itſelf, as it has ſince appeared, it is a very reaſonable conjecture that the burgeſſes had frequently to encounter with them, even from the firſt foundation of the town.

In the 20th of that king, however, we find the bailiffs, burgeſſes, and other inhabitants of Yarmouth, preſenting a petition to the king, for liberty to cut a haven nearer to the town than their then channel, on a ſuppoſition that it would be more advantageous to the

the navigation in and out, and leſs liable to many inconveniences they had ſo lately experienced. For it appears that the north channel, called Grub's haven, between Yarmouth and Caſtor, had been ſo filted up, that it was rendered unnavigable, and the rivers, for want of ſufficient paſſage for their diſemboguement into the ſea, by this channel, had neceſſarily diverted their courſe to the ſouth; an event, however, of no ſmall importance to the landed intereſt, which, by this diverſion of the channel, had gained many thouſand acres of meadow and marſh-land, which had before been conſtantly overflowed by the ſea, but which, in a ſhort time after this, became good paſturage for cattle, and are of very great value to the proprietors, at this day. A very different conſequence was felt by the navigation; for the channel kept ſtill ſhifting to the ſouth, till it had got nearly four miles to the ſouthward of the preſent haven, between Corton and Loweſtoft, and having, by the united obſtructions of wind and ſea, formed in itſelf many ſhelves and ſand-banks, navigation was in danger of being at a ſtand, as few ſhips of burthen could enter in, or go out, with ſafety.

This

This appears to be the ſtate of the haven, when the inhabitants preſented their petition to the king, who immediately granted their requeſt. "To the charge whereof, ſays "Mr. Manſhip, the king himſelf was very "beneficial, in regard that in the 14th year "of his reign, at Sluys in Flanders, com-"monly called the battle of Swine, the "townſmen of Yarmouth did him moſt wor-"thy ſervice." This *worthy ſervice* was, indeed, conſiderable; there being not leſs than 52 ſhips that year in the king's ſervice.

The new haven, thus obtained, was at beſt but a temporary relief; for notwith-ſtanding the very great expence it was to the inhabitants, to keep it in order, we find that in the 46th of Edward III. a term of only twenty-ſix years, it was ſo blocked up with ſand and gravel, that no ſhips could enter it, ſo that they were under the neceſſity of un-lading their goods in the road adjoining, cal-led *Kirkley Road*, or very near the mouth of the haven, which being repreſented to the king, he was pleaſed to unite Kirkley Road to the town and port of Yarmouth, (after a ſuit of ſix years continuance, and great oppo-ſition to the contrary) on paying him and his ſucceſſors 100*s. per ann.* and to grant to the

burgeſſes full power to receive the like duties there, as at the port of Yarmouth, for ever.

The cauſe of this oppoſition to the union of *Kirkley Road*, was on account of the great advantages that attended the unlading the ſhips there, to Loweſtoft and other neighbouring towns; the owners of the ſhips refuſing to pay the ancient cuſtoms due to the town of Yarmouth, which occaſioned the burgeſſes to apply to the king, who thereupon granted a writ of *ad quod dampnum*, in his 44th year, directed to the eſcheator of Norfolk and Suffolk, and two inquiſitions were accordingly taken, and in his 46th year a charter was granted for uniting Kirkley road to the liberties of Yarmouth; which power the burgeſſes have continued to enjoy ever ſince, notwithſtanding the many efforts made by Loweſtoft to wreſt it from them.

The Charter for this union, which is in Latin runs thus:

" Edward by the Grace of God, king of " England, and France, and lord of Ire- " land, and duke of Aquitain, &c. knowe " ye that we, willing, for the aid and re- " lief of the town of Great Yarmouth, to " ſhew more abundant grace to the burgeſſes " and good men of the ſame town, have given

" given and granted, for us and our heirs,
" to the ſame burgeſſes and good men, for
" an aid and relief of the ſame town, and
" for 100*s.* which they and their ſucceſſors,
" at the terms of St. Michael and Eaſter, by
" equal portions (for an increment and aug-
" mentation of the farm of 55*l.* which the
" ſame burgeſſes and good men are holden
" annually to pay to us and our heirs, into
" our exchequer, at the terms aforeſaid, for
" the town aforeſaid) ſhould pay every year
" to us and our heirs, into the ſame exche-
" quer, a certain place in the high ſea, near
" the entrance of the haven of the town
" aforeſaid, called *Kirkley Road*; and have
" annexed and united that place to the ſaid
" town and haven, to have and to hold
" unto the ſame burgeſſes and good men
" and their ſucceſſors, of us and our heirs,
" (that place) annexed to the ſaid town and
" haven for ever. Willing and granting,
" for us and our heirs, to the ſame bur-
" geſſes and good men, that they and their
" ſucceſſors for ever may have in the ſaid
" place of *Kirkley Roa,d* all and every the
" liberties and quittances by the charters of
" our progenitors, and confirmation of us
" to them formerly granted, as they the

" ſame liberties and quittances in the ſaid " town, by virtue of the charters and con- " firmation aforeſaid, ought to have, and " may have and receive, of all ſhips and " boats which ſhall happen to come to the " ſaid place of *Kirkley Road*, and there in " part or wholly unlade the ſame cuſtoms " which they, according to the liberties " aforeſaid, have, if they at the ſaid town " ſhould arrive, and there in part or wholly, " in like manner, unlade. We have alſo " granted for us and our heirs to the ſaid " burgeſſes and good men, and for ever " confirmed to the ſame and their ſucceſ- " ſors, that no ſhip nor any boat ſhould be " laden or unladen at any town or place up- " on the ſea coaſt, within ſeven leuca's " diſtant from the ſaid town of Great Yar- " mouth, by any perſon whomſoever, of " herrings or any other merchandizes, un- " les the ſhip, boat, or herrings, and alſo " the merchandizes were that perſon's pro- " per goods only, and not any others, ex- " cept at the ſaid town of Great Yarmouth, " or in the haven of the ſame, or at the " place of *Kirkley Road* aboveſaid. And alſo " that in time of the fiſhing and fair of her- " rings no fair ſhould be holden, nor any " ſelling or buying, on account of merchan-

" dizing

" dizing, be made in any place within the
" ſpace of ſeven leuca's about the town afore-
" ſaid, but only at the ſame town of Great
" Yarmouth, and the haven of the ſame town,
" of herrings or any other merchandizes
" whatſoever. And we ſtrictly prohibit, for
" us and our heirs, that no one within the
" ſpace aforeſaid of ſeven leuca's, preſume to
" lade or unlade any other ſhip or boat than
" his proper own, and of his own proper her-
" rings, and other merchandizes any where
" but only at the ſame town of Great Yar-
" mouth, or in the haven of the ſame, or at
" the place of *Kirkley Road*; or in the time
" aforeſaid to hold any fair, or to ſell or buy
" any herrings or other wares, on account of
" merchandizing, but only at the ſaid town
" of Great Yarmouth, or in the haven of the
" ſame, upon forfeiture of the ſhips and boats
" ſo to be laded or unladed, and the herrings
" and other merchandizes, which ſhall ſo
" happen to be laden or unladen, or from
" that time to be put up to ſale in ſuch fairs
" or elſe where, by way of merchandizing,
" contrary to the ſaid prohibition, to be ap-
" plied to the uſes of us and our heirs. Of
" which forfeitures aforeſaid we will, and
" have granted for us and our heirs, that the
" bailiffs of the ſaid town of Great Yar-

" mouth, for the time being, may and ſhall " enquire, from time to time, and take them " into our cuſtody, and cauſe them to be " ſafely kept for our uſe, and anſwer to us " and our heirs thereupon, into the exche- " quer aforeſaid, every year, at the terms of " St. Michael and Eaſter."

" And all our letters whatſoever to the " town of Loweſtoft, or the men of the " ſame, contrary to any of theſe premiſes, " made by us, as to ſuch contrariety, we do " revoke."

" Witneſs myſelf at Weſtminſter the 22d " day of Auguſt in the 46th year of our " reign of England."

The recompence made to Yarmouth by this charter, does not appear to have been long thought adequate to the loſs of the navigation in their ſilted haven; for not more than 20 years after, in the 16th of Richard II. the burgeſſes again petitioned the king for permiſſion to make a ſecond haven, ſtill nearer to Yarmouth, oppoſite the Horſe Ferry; which, by the old trench, appears to have been in a line from the north end of Gorleſton, or South Town, over the Danes, the place where the foot ferry now is.

This petition was likewiſe granted them, as appears by the ſubſequent charter of that king, which is alſo in Latin.

" Richard

" Richard by the grace of God, king of
" England and France, and lord of Ireland,
" to all to whom theſe preſent letters ſhall
" come greeting. Know ye, that whereas
" lord John, formerly king of England, our
" progenitor, by his letters patent, had
" granted to the bailiffs and commonalty of
" our town of Great Yarmouth, the ſame
" town with the haven thereof, to be holden
" to them and their ſucceſſors, in fee-farm,
" paying thence to the ſame our progenitor
" and his ſucceſſors fifty and five pounds by
" the year; and afterwards, becauſe the ſaid
" town was ſo ſtraitened, by the caſting out
" of the gravel and ſoil of the ſea, that ſhips
" and boats could not arrive at the town
" aforeſaid, as formerly they uſed, very ma-
" ny of the commons of the town aforeſaid
" had withdrawn their abiding out of the
" ſame, whereby the ſame town was on the
" point of deſtruction. By reaſon of which,
" lord Edward, formerly king of England,
" our grandfather, by advice of his council,
" conſidering the loſs aforeſaid, granted to
" the ſame bailiffs and commonalty, for an
" aid of the town aforeſaid, and the haven
" of the ſame, alſo of the great charges which
" they, in the ſervice of him our grandfather
" and his heirs, have ſuſtained, a certain

" place called *Kirkley Road* annexed to the " ſaid haven, paying thence to the ſame our " grandfather and his heirs 10*os.* over and " above the farm aforeſaid. And ſo it is that " hitherto from day to day that haven has " become ſo narrow and much worſe and " dangerous than it was formerly, ſo that " ſhips and boats cannot have their courſe and " application to the town aforeſaid, as they " have been wont, nay more frequently have " been in danger, whereby many of the com- " mons aforeſaid have pulled down and ſold " their houſes, and withdrawn themſelves out " of the ſaid town, whence the ſame town " is at the point of ruin. And the aforeſaid " commonalty cannot ſupport, as they ſay, " the charges of our farm aforeſaid, and the " repairs of the walls of the ſame town, and " the *tenths* and *fifteenths*, when they ſhall " happen, which amount to 100*l.* at every " grant of a whole tenth and a fifteenth."

" We the premiſes conſidering, of our " ſpecial grace, by the aſſent of our council, " have granted and given licence, for us and " our heirs, as much as in us is, to our be- " loved liege burgeſſes and commonalty of " our town aforeſaid, that they may make *a* " *certain new haven*, near the ſaid town, " within their liberty there, in a certain

" place

" place called the *Horſe Ferry*, containing " 100 perches in length, and 10 perches in " breadth, for an aid of the ſame town, and " the whole country adjacent, to have to " them and their ſucceſſors for ever, ſaving " alway to the aforeſaid commonalty the " old haven and the ground of the ſame, " with all the liberties and franchiſes be- " loning to the ſaid haven, as they have " had them before theſe times. In witneſs " whereof we have cauſed theſe our letters " to be made patents."

" Witneſs myſelf at Weſtminſter, the " 14th day of May, in the 16th year of " our reign."

" *By writ of the privy ſeal.*"

Towards defraying the expences, and to contribue to the ſupport, of this *new haven*, the burgeſſes obtained a grant of that king, dated the following day, " to levy and re- " ceive, for every laſt of freſh herring to be " ſold in the haven aforeſaid, and liberty of " the ſame, of the ſellers of the ſaid her- " ring, *twelve pence*, during five years im- " mediately following the date of theſe pre- " ſents." And as a further proviſion for the completion and maintenance of the haven, the

the corporation, in their *Orders pour le Nouvelle Havene*, (written in old French) commiſſion " John Elys, the younger, Hugh " Atte-Fenn, John Hugh ſon, and William Yue, our well-beloved fellow burgeſſes, with the aſſiſtance of the bailiffs, to " levy and receive jointly and ſeverally of " every deniſon or burgeſs of the ſaid town, " for every laſt of herrings that he ſhall have " bought and received of his hoſts in the haven, from the feaſt of St. Peter, which is " called Lammas, next before the date of " theſe letters (*i. e.* Sunday next before the " feaſt of St. Edmund the king) to the feaſt " of St. Michael the archangel, next following the date hereof, 40*d.* and for every " laſt of herrings that he ſhall receive of his " hoſts, not coming into the haven in the " veſſel of the ſame hoſt, and for every laſt of " herrings that he ſhall have bought of " others, as of his hoſts, be it in the haven, " or *Kirkley Road*, or in *St. Nicholas's Road*, " between the feaſts aforeſaid, 20*d.* and in " like manner to collect, levy, and receive " of every deniſon or burgeſs in the ſaid town " for every laſt of herrings, ſtones, or of " whatever other merchandize which he " ſhall have brought for ſale, or any other for " him, in any place whatever, between the

" feaſt

" feaſt of St. Michael the archangel laſt paſt " before the date hereof, till the ſame feaſt " of St. Michael next following, 2*d.*—Giv- " ing full power to the ſaid John, Hugh, " John and William, jointly and ſeverally to " levy all the ſaid ſums of all the ſaid bur- " geſſes of the ſaid town, to wit, of their " lands and chattels, and to arreſt their " bodies and commit them to goal in the " ſaid town, in caſe they be rebellious, or " refuſe to pay, or agree it be not done as is " foreſaid, &c. &c. &c."

Notwithſtanding this encouragement given to the burgeſſes, and the troubles and expences they met with in the making this *ſecond haven*, it was not more than ſixteen years after, that they found it in the ſame predicament with the former, and navigation was again at a ſtand. In the 10th of Henry IV. therefore, we find the burgeſſes petitioning a third time, for liberty to make a *third haven*, near *Newton Croſs*. That king not only granted their requeſt, but, in conſideration of the many and formidable difficulties they had to ſtruggle with, very liberally contributed towards the expence of it, out of his cuſtoms at Yarmouth, 100*l. per ann.* for the ſpace of five ſucceſſive years. But this grant, which was to be paid out off the moneys

" to

" to be received out of the subsidy of 3*s.* for " a tun of wine, and of 12*d.* for a pound, " in the same port, by the hands of the col- " lectors of the subsidy aforesaid there, for " the time being," met with some difficulty in the execution. For the treasurers and barons of the exchequer refused to discount with the collectors the first 164*l.* paid to the burgesses in the 12th and 13th of that king, on pretence that the subsidy out of which it was paid, continued no longer than the feast of St. Michael in his 11th year. The king, therefore, by his letters patents, dated 27th May, in his 13th year, says, " We, willing " that our grant aforesaid be duly executed, " of our special grace have granted to the " same burgesses the said hundred sixty and " four pounds, paid by the said collectors " in form aforesaid, to be had, *of our gift*, " in relief of the making of the haven " aforesaid."

This third haven, with increasing trouble and expences, served the burgesses for near a hundred years, when the charges became so intolerable that they were obliged to apply to Henry VI. in his 31st year, for further relief and assistance; when they obtained a remittance of fifty marks, parcel of their fee-

farm,

ſarm, for the term of ſix years, for the uſe of the haven.

At this time, indeed, the town appears to be in a declining ſtate. The great expences levied upon the inhabitants, for the ſupport of the haven, occaſioned the loſs of a conſiderable part of the herring trade, which had been upon the decline ever ſince the reign of Henry V.

To theſe heavy contributions was principally owing the emigration of many of the inhabitants, who retired to other leſs expenſive places; ſo that thoſe who remained in the town were ſo few, and ſo over-burthened with poor, that they were exempted, by act of parliament, in the 24th, 27th, and 31ſt years of the reign of Henry VI. from the common ſubſidies of government, fifteenths and tenths, which were granted to the king in thoſe years, not being able to raiſe them.

This appears likewiſe to have been the caſe in the 4th and 8th years of Edward IV. the 3d, 5th, 7th, and 12th, of Henry VII. and in the 3d, 5th, 7th, 26th, 32d, and 37th, of Henry VIII. in which latter year that king acquitted them of all the fifteenths and tenths which ſhould be granted to him during his reign.

Some

Some of these remittances were made by acts of parliament, others by letters patents.

King Edward IV. by two different grants, of ten years each, continued Henry VI's release of 50 marks of their fee farm, for twenty years, and added an exemption of fifteenths and tenths, when granted, as above observed. In the 10th year of his reign, also he granted them two thousand marks, with an addtional release of their fee-farm, of 17*l.* 10*s.* 10*d.* during the space of ten years, for the reparation and support of their haven; and in his 22d year, he granted them a further release of the fifty marks, for 20 succeeding years.

In the 1st of Richard III. by an act of assembly, it was unanimously agreed, "for the "co'e weel and the reparacion of the haven, "that every shipp shall paie to the same re-"paracion, for every viage goyng oute and "comyng into the haven, or comyng in and "goyng out IIII*d.*

"*Item.* That every shipp goyng for "heryng in the fyshyng time comyng into "the haven, for the time of fyshyng, shall "paie to the seid reparacion ons in the "fyshyng tyme IIII*d.*"

"*Item.* That every shipp that shall de-"parte oute of the haven in fyshing of any

"manes

" manes fyſhyng that be of the ſame town,
" ſhall paie to the forſeid reparacion half a
" dole, that is to ſay, half the profyte and
" advauntage that any fyſherman ſhall have
" goyng in any fyſher ſhipp for the profyte
" of hymſilff and his nettys for heryng, and
" lynes for any other fyſhes. Purveied al-
" wey that if the owner of the ſhipp, or other
" perſonne or perſonnes bye ſuch heryng as
" merchantes, ſhall paie to the ſeid repara-
" cion for every laſt of heryng ſo bought,
" IIII*d.* half a laſt or quarter after the ſame
" rate.

" *Item.* All folk that ſhall doo make
" any heryng within the town of Yermouth
" for ſeid, except the fyſhers of heryng that
" ſhall be fyſhed with the fyſhers of the
" ſame town that beren the charge of the
" ſeid half dolys, ſhall paie to the foreſeid
" reparacion for every laſt heryng red and
" whight, made marchaunt within the ſeid
" town, IIII*d.* and for every half laſt and
" quarter of a laſt after the ſame rate, as is
" above ſpecified. Moreover it is ordeined by
" the ſeid co'e counſeill that zeerly in the
" feſte of Seynte John Baptiſt decollacion,
" by the bailiffs and co'es of the town,
" ſhall be choſen II men of the ſame town,
" to be collectours to gader and levy the
" forfeited

" forſeid money and half dolys, that to be " diſpended duly upon the ſeid reparacion, " by their advice and ovirſight, as them " ſemeth neceſſary thereon to do, &c. &c."

And King Henry VII. in his firſt year, granted the burgeſſes a confirmation of the releaſe of Edward IV. for twenty years, the grant of that king expiring in the eighteenth of his reign. He alſo, by ſeveral letters patent, which were triennially renewed, continued the additional abatement of the 17*l.* 10*s.* 10*d.* till the 15th year of his reign, which reduced their payment into the exchequer to 9*l.* 2*s.* 6*d.*

In the 17th of Henry VII. on a petition of the burgeſſes to the king at Richmond, he was pleaſed to make a further remittance, in their favor, of fifty marks, for the term of five years.

About the 24th of that king, however, all theſe aids, grants, and releaſes ſtill appear to be inſufficient for the purpoſes of preſerving the haven navigable, and the burgeſſes again petitioned the king for leave to cut a *fourth haven*, much nearer to the town than the former. This being granted, with there mittance of their 50 marks for 20 years longer,

longer, they did accompliſh its preſervation, with their own united labour and expences, for the 20 following years; when it became ſo decayed, and the inhabitants ſo overburthened with almoſt unremitting coſts and charges, that they were obliged to become petitioners for the fifth time, for permiſſion to make a *fifth haven*, in or near the place where it is at preſent.

This King Henry again granted, with a further releaſe of the fifty marks fee-farm, for 20 years more. And about the 36th year of his reign, on their further complaint, he continued the releaſe for ten years longer, for the ſupport of the haven; beſides acquitting them of all the fifteenths and tenths which ſhould be granted to him during his reign, as we have before obſerved.

This haven, according to Mr. Manſhip, coſt the inhabitants 1500*l.* ſterling, and was executed under the direction of the maſter of Mettingham college, "a man in thoſe days "in water works holden very expert."

"But the ſtormy wind and ſea prevail-"ing, the mouth of that haven alſo, which "had coſt great ſums of money, was thereby "choaked and ſtopped up; by means whereof "they were ſo impoveriſhed in their parti-

" cular eſtates, that they were utterly unable " to continue any longer ſo unſupportable a " charge."

In order, therefore, to effect a *ſixth haven*, it was agreed, in the 2d of Edward VI. (1548) that the money, plate, ornaments, robes, veſtments, tunicles, albs, ameſſes, &c. belonging to St. Nicholas's chapel in Yarmouth, ſhould be diſpoſed of, in order to contribute to this neceſſary purpoſe. Theſe, with the rents of houſes belonging to the church, the diſpoſal of the bells in the ſteeple, voluntary contributions of the inhabitants of Yarmouth, thoſe of Norwich, and the reverend fathers of Chriſt's Church, raiſed a ſupply of 1816*l.* 9*s.* 7*d.* beſides ſome weekly contributions, of which the *four and twenties* agreed to pay two ſhillings, and the *eight and forties*, one ſhilling a week each, for the ſpace of 10 weeks following.

The particulars of the aggregate ſums, which amounted to the above 1816*l.* 9*s.* 7*d.* are as follows:

	£.	s.	d.
Of the coined gold and silver, and other utensils belonging to St. Nicholas church	782:	8:	3: ¾
Of the plate sold	58:	19:	11: ¼
Of the bell metal	71:	1:	10.
Of the copes, &c.	40:	8:	5:
Of another parcel of copes, &c.	24:	14:	0:
Of the contributions of the *four and twenties*	138:	6:	8:
Of ditto ——— of the *eight and forties*	82:	16:	8:
Of the houses, rents, &c. of the chantry or charnel at the entrance of St. Nicholas' church-yard	192:	11:	5:
Of the commons in the four south wards	33:	18:	4:
Of the commons in the four north wards	31:	8:	0:
Of the city of Norwich, as by indenture dated the 5th of July 1550, in the 4th of Edward VI. appeareth	133:	16:	0:
Of the dean and chapter of Norwich	20:	0:	0:
Of strangers, and goods of the hospital	206:	0:	0:
£.	1816:	9:	7:

This sum was partly collected in 1549, the 3d of Edward VI. the same year in which Kett and his rebel party, made an insurrection in Norfolk.

Having obtained that king's permission, the burgesses then began to cut their *sixth haven*, over the Denes, about a quarter of a mile from the south gate of the town, the trench of which is still visible, and known by the appellation of *the old haven*.

For the more effectual carrying on this work, King Edward, by his letters patents, dated the 9th of January, in the 2d year of his reign, releaſed to the burgeſſes, as his father and grandfather had done, all fifteenths and tenths, and gave them, a commiſſion to take up carts, carriages, labourers, workmen, and all other things neceſſary for the execution of it.

The principal director, on this occaſion, was one Mr. Thompſon, chief engineer of Dover; who, Manſhip ſays, was maſter or governor of the Alms-houſe, or God's houſe, in Dover. He was brought hither about three years before this, by the duke of Norfolk, by whom, as well as by ſome others of the privy council, he was principally recommended. He was in high favor with Edward VI. by whom he had been well rewarded for his ſkill and ſervices at the pier at Dover. He was very converſant in things of this kind, and had therefore been much recommended by the portſmen reſorting hither.

On the 16th of January, 1549, after a ſolemn proceſſion of the townſmen, and a ſermon preached before them, by Sir John Bland, miniſter of St. Nicholas's church

church, on a ſubject adapted to the occaſion, Mr. Thompſon took upon him the charge of the work, which was then begun, and in which were employed a hundred men every day.

Nature had hitherto been the greateſt enemy of the town, but now the brutal fury of rebellious ignorance contributed to their diſtreſs; for the work had not long been continued ere a party of Kett's adherents advanced to the town, who, finding the inhabitants not at all inclined to favor their infamous deſigns, deſtroyed all the materials provided for the haven, and in the night villainouſly laid all that had been done in ruins. This obliged the workmen to take up arms inſtead of tools, and, with the magiſtrates, to keep watch and ward, as well to defend the town againſt the rioters without, as to curb their adherents within, who, tho' leſs numerous, were not leſs dangerous. Hence the work was diſcontinued for that year.

The next year, however, they purſued it again with reſolution and vigor; but tho' they were prepared with ſhips and expenſive engines for caſting out the water, the work went on but ſlowly, the water

ſpringing up ſo faſt that they could not get clear enough of it, to procure a good foundation.

Theſe extraordinary expences exhauſted their ſtock before they had finiſhed their work, which obliged them to depute Mr. Betts, one of their bailiffs, and Mr. William Harborne, to ſolicit an aid of the city of London; but it does not appear whether their deputation was attended with ſucceſs.

Another fatality, to which they chiefly attribute the miſcarriage of their work, was the loſs of their engineer Mr. Thompſon, who died about this time.

To ſupply his place, by an act of aſſembly, in the 7th of Edward VI. one Mr. Candiſh was ſent for, who inſpected the work and gave directions for its continuance.

Upon which one hundred dozen baſkets, two hundred ſhovels unſhod, and one hundred and ten dozen ſhod, were immediately ſent for to London, on the 8th of June, in the ſame year, two days after the death of Edward VI. for the carrying on the work, which was now continued with ſuch vigor, that on St. Peter's eve, in the next year, 1554, it was agreed in common council,

council, that every one of the *four and twenties*, (aldermen) ſhould find two men, nd every one of the *eight and forties* (common councilmen) ſhould find one man, till the haven ſhould run forth into the ſea, or elſe to pay ten-pence a day for each man; but on the eve of St. Paul following, on the diſcuſſion of a motion, at a full aſſembly, *Whether it were better to proceed or not*, it paſſed in the negative, and was reſolved that the work ſhould ceaſe for that year; that the crane newly built for that purpoſe, ſhould be taken down, and laid up ſafely till further occaſion; and that the ſucceeding bailiffs the next year ſhould proceed in the work, under the penalty of 100*l.*

Accordingly, in 1555, many workmen were employed, two overſeers appointed, a ſhip was ſunk at the mouth of the haven, to ſtem the tide, and after all, the work was relinquiſhed for that time. The next year they began again, and ſo on for eight ſucceſſive years, from the beginning; when, finding every trial unſucceſsful, and above ſix thouſand pounds of their own caſh ſunk, beſides their annual fifty marks, and all the fifteenths and tenths releaſed during

the life of Queen Mary, they gave it up in deſpair, having, from dear bought experience, juſtly concluded, that Nature ſo powerfully oppoſed them, as to render any laſting relief from Art utterly impracticable.

From ſome extraordinary act of loyalty to this princeſs, the inhabitants of Yarmouth were emboldened to ſolicit a releaſe of their fifty marks fee-farm *for ever*, as appears by their petition; and though ſhe did not think proper to grant their requeſt, ſhe extended the term to a greater number of years than had been done before.

Theſe aids ſtill proved ineffectual, as the ir ſchemes were abortive, ſo that we find them, agreeable to the advice of ſkilful workmen, on the 17th day of November, 1557, ſtopping up the haven with furze, bound together in bundles called kybes. "But yet, ſays Mr. Manſhip, within four-"teen days following, upon a great rage "then happening, the wind, being at weſt, "brought down the back waters out of "the marſhes ſo vehemently, that it ran "over the keys into the dwelling-houſes, "inſomuch that men might row up and "down the ſtreets, to the no little damage

"and

" and heart ſorrow of all the inhabitants." It appears, too, on this occaſion, that ſome ſhips were obliged to be drawn over the Denes with capſtains and windlaſſes, others loſt their voyages; labourers and artificers were almoſt reduced to poverty, for want of employment; every perſon wore the appearance of diſtreſs, and every thing bore evident marks of confuſion.

In this deplorable ſituation things remained till the 8th of January, in the 2d of Queen Elizabeth, when it was agreed to tempt their fate again, and cut a *ſeventh haven*, in the place where it had been thirty years before, and where it now is.

This was done at another conſiderable expence, as appears by a memorial, dated 1559, which ſays, " The inhabitants of the towne " of Greate Yermouth, * * * * * righte " over againſt the Parſonage of Gorleſtone " eaſtwarde, did cut a newe haven into the " ſea, and there with greate coſtes did " ſtoppe uppe the old haven, by reaſon " whereof the whole level of the marſhes " from Yermouth unto Norwich was all " over flowen, and keles and boats paſſed " over them. And there uppon ſome of " the countrie came downe to help to digge " the haven, and yet the charges of this

" newe

" newe cutte and the ſtoppe, not recko-
" nenge the contynuall labours of the in-
" habitants, which were dailie beſtowed
" aboute the ſame, nor yet the charge of
" the countrye, which wrought two or
" three days, did amounte, as per the perti-
" culus appereth thereof, the ſome of
" 2503*l.* 2*s.* 1*d.*"

This ſeventh haven, however, met with ſome oppoſition, with reſpect to the place in which it was to be cut; ſome being for the old haven, by the town, others for the place where it is at preſent. Whereupon a committee of eight perſons was appointed, January 8, in the 2d of Elizabeth, as above-mentioned, " To go downe to vewe and
" appoyntte where the havyne ſhall be cutte
" owght at thys tyme, and then there to
" come ageyn to ſertefy unto Mr. Balys and
" the howſe where it ſhal be cutte and
" ſtoppyd," At the ſame time, alſo, a deputation of four gentlemen was appointed to wait upon Sir Thomas Wodehouſe, " to
" requeſt Mr. Mayor of Norwich, and his
" brethren, and the" worſhipful of the
" ſhire, to have their benevolence to-
" ward the mending of the haven, &c."

The

The above committee, having taken a ſurvey of the place, came to an agreement, and made their report, "That the moſt "proper place for conſtructing or making "another haven, would be at or near the "place where it had been in the year 1529, "againſt the eaſt-end of the parſonage houſe "of Gorleſton." At an aſſembly, therefore, holden the 2d day of March, in the 2d of Elizabeth, it was agreed, "That all "the inhabitants of the town, and handi-"crafts men, (except ſhypwryghtes) be at "the haven Sunday, Monday and Teweſ-"day, and there to helpe to convey the "manure there, and to make the haven "dyppe, to the intente yt may by Godes "helpe rune." In conſequence of this order, ſo anxious were the people to forward ſo uſeful an undertaking, that there appears to have been near a thouſand perſons, including women and children, employed about the work; ſo that on the fourth of March following, the haven ſeems compleated, the water had paſſage to the ſea, and there was ten feet at low water, to the infinite ſatisfaction of Yarmouth and the neighbouring country.

The

The next day, March 5th, it was ordered, "That the carpenters ſhould be employed to make a defence, or *ſtop*, to keep "the current from running to the ſouthward, in the old channel, where formerly it uſed to run;" and on the twelfth of the ſame month, by another order, it was to be more ſtrongly fortified; for the more ready diſpatch of which, it was agreed, on Friday next after the Annunciation of St. Mary, "That the rubbiſh and ſtones belonging to the church, "commonly called Our Lady's church, in "South town, on the weſt-ſide of the road "leading to Gorleſton, ſhould be conveyed "to the haven's mouth, for the uſe of the "ſaid *ſtop*," which was accordingly done; but the expences proving too great for the inhabitants to bear, of themſelves, they drew up a petition to the queen and her privy council, in order to obtain a commiſſion for the ſupport of the ſaid haven. Upon which Mr. Adrian Harriſon was ſent down to make an eſtimate of the charges of building a new haven, which he calculated would coſt 5510*l.* to be made where it then was, and 4273*l.* 6*s.* 8*d.* to be made where it

it was atfirſt dug. Either of theſe ſums appeared too conſiderable for the privy council, and Mr. Adrian's eſtimates were of no effect,

The city of Norwich, on application made by the burgeſſes, granted them 200 marks; and Sir William Wodehouſe ſent them an experienced perſon from Emden to conduct the work, but nothing appears to have been done by him. To their own induſtry was principally owing the temporary ſucceſſes of their tedious and expenſive enterprize; and tho' they did for ſome time confine the current to the limits they had preſcribed for it, their want of proper aſſiſtance ſometimes diſtreſſed them very much; ſo that at a common aſſembly, on the 21ſt of April, in the 5th of Elizabeth, they were obliged to order, "That one quarter of "the towne ſhall be callyd owte by the "conſtables, every day, to go to the "haven, &c." notwithſtanding which, in 1567, after ſinking 2603*l.* 2*s.* 3*d.* the water broke through all their works, and made for its old channel towards Newton Croſs.

In March following they began again to work on the north ſide of the haven, under the

the direction of Joyſe Johnſon, an experienced Dutchman, brought over for that purpoſe, who, by driving down piles on either ſide of the channel, and bracing them together with large planks, kept in the current and forced it to purſue a north eaſt direction. But having, in the firſt ſeven months, expended 561*l.* 6*s.* 8*d.* they found themſelves no longer able to ſupport the expence; and, therefore, on the 8th day of October, in the 9th of Elizabeth, the corporation agreed on the moſt viſionary ſcheme for raiſing money, that ever entered the head of adventurers; which was nothing leſs than a ſolicitation of Fortune's favor, in the Virginia ſtate lottery, that year, 1567. Nay, ſo fluſhed was the whole town with the hopes of ſucceſs, that they were elevated to the enthuſiaſm of poetry, and a diſtich was accordingly tacked to the ſeveral ſubſcriptions, as follows:

To the fifteen pounds of the town's money,

" Yermouth haven, God ſend thee ſpede,
" The lord he knoweth thy great nede."

To the fifteen pounds collected amongſt the four and twenties, and *eight and forties.*

" Yf Yermouth great in Fortune's favor be,
" The greteſte lott may chanſe to fall to me."

To the ſeventeen pounds ten ſhillings collected by the commons,

The GENTLEMEN's POSY.

" The fyrſte, ne ſecond lott I crave,
" The thyrde yt ys that I wolde have."

The LADIES' POSY.

" A ſmall ſtocke with good ſucceſſe,
" May ſhortly growe to good increſſe."

Not-

Notwithstanding these sanguine hopes, it does not appear that the Fickle Goddess was so much inclined to favor them, as the maids of Helicon, for no prize is recorded with their poetry; and we find them again petitioning queen Elizabeth, the next year, for further assistance; who granted them a licence to export eighteen thousand quarters of corn, the profits of which amounted to 1407*l.* 8*s.* 2*d.* which being expended, they applied to the privy council, and under their sanction collected in Norfolk and Suffolk, in 1573, and 1574, the sum of 503*l.* 9*s.* 5*d.* In 1575 they obtained further licence "to buy within our countye "of Norfolk onelye the quantitie of six "thowsand quarters of maulte and barley, "and four thowsand quarters of wheat, &c. "duringe the space of three yeres," the profit of which amounted to 1073*l.* 9*s.* 6*d.* But as they were under some restrictions with regard to the price of the corn, they were in want of fresh supplies before the terms of their licence were fulfilled; which obliged them again to apply to the privy council, in 1576, who prevailed on the city of London to lend them 1000*l.* without interest, to

be

be repaid at the rate of 200*l.* a year; this they received in the 20th of Elizabeth, and accordingly repaid. The Cinque Ports alſo made a ſmall contribution towards the haven; and in the 22d of Elizabeth a third exportation licence was granted them, of 30000 quarters of corn and malt, which brought them a further ſum of 2720*l.* 5*s.* 8*d.* This proving inſufficient, the burgeſſes, in the 26th of that queen, obtained a fourth licence for the exportation of 40000 quarters of corn and malt, by which they gained about 2000*l.* and in her 36th year, on further application, ſhe granted them 1000*l.* out of her cuſtoms at Yarmouth, to be paid in eight equal annual payments; beſides a releaſe of fifty marks of their fee-farm, for forty years, to commence on the expiration of the releaſe granted by queen Mary, and a remittance of all the tenths and fifteenths that had been granted her, and which were then in arrears.

About this time, alſo, they obtained of the privy council licence to export, in foreign bottoms, a quantity of herrings every year, the profits of which (about 5*s.* a laſt) were applied to the repairs of the haven. Theſe generally amounted to about 150*l.* a year, and was continued to them till 161 ,

when, on the eſtabliſhment of a company to trade to France, they met with ſome difficulties and limitations on account of this company's excluſive trade thither, which however they ſeem to have ſoon got over, as they again obtained leave to export 600 laſts of herrings, in foreign bottoms, in 1612, 1613, 1614, and 1615, notwithſtanding the oppoſition of ſeveral Engliſh ſhip-owners and merchants.

In 1614 the town was again infected with the rage of adventuring in the Virginia lottery, when they *bemotto'd* their adventure of twenty five pounds with,

" Great Yarmouth haven, now in great
" diſtreſſe,
" Expects by lotterye ſome good ſucceſſe."

But we are apprehenſive their *ſucceſſe* did not anſwer their *expectation*, nothing to the contrary being upon record.

In 1615, the privy council informed them that they ſhould not renew their exportation licence, for herrings in foreign bottoms, any more than that time; and in conſequence of their adherence to this reſolution, about fifty ſail of Yarmouth fiſhers laid up their

their veſſels in 1616, which occaſioned the town once more to renew their petition to the council, in 1617, when they were again permitted to export 600 laſts as uſual, which licence was annually renewed till 1624.

In the 19th of James I. that king directed his commiſſion to the biſhop of Norwich and others, to enquire into the ſtate of the haven and piers; and in the next year iſſued his letters patents for a general collection throughout the kingdom, for their ſupport; which, however, did not raiſe above 500*l.* whereupon the king directed his letter again to the biſhop of Norwich for further contributions, and to aſſeſs the adjacent low grounds, marſhes, &c. in obedience to which the city of Norwich contributed 100 marks.

In the ſame year the king permitted them to export 4000 tons of beer, duty free, which at 9*s.* *per* ton, raiſed them 1800*l.* and was wholly employed in the reparation of the haven and piers.

In the 2d of Charles I. (1626) a ſimilar patent was granted them for 1000 tons, which brought them 450*l.*

The ſame year they renewed their ſolicitations for their herring exportation, which

at the inſtance of the Trinity Houſe, ſome merchants and fiſhmongers of London, and the *Turkey Company*, was refuſed, except in Engliſh bottoms. The next year, however, they procured an order, that unleſs the Turkey Company would purchaſe all their herrings, at a reaſonable price, before the laſt day of October, they ſhould then be at liberty to ſell the 600 laſts to ſtrangers; yet they were not to be laden in foreign bottoms before the 12th of November, "to "the end the Engliſh may have the priority "of the market, in places whither they "uſe to carry them."

In 1628, and 1629, they obtained leave to export 1000 laſts, on the ſame terms, notwithſtanding the Trinity Houſe had previouſly prevailed on the privy council to iſſue their orders to the contrary. This was occaſioned by the Turkey Company's refuſing to take the principal part of their herrings. The annual licences were continued to 1637, when one was granted for 10 years, on payment of 50*l. per ann.* by which there was an annual ſaving to the burgeſſes of 100*l.* and this was the laſt aid of the kind; for at its expiration in 1647, tho' frequent application was made, they could not get the licence renewed.

In

In 1637, four years after the expiration of their fee-farm releaſe, the town petitioned King Charles I. for a renewal of it, which was granted them for 40 ſucceeding years.

During the conteſt between Charles II. and his parliament, the town petitioned the parliament (in 1650) for *ſome of the lead upon Norwich cathedral,* to build a work-houſe, and repair the haven; and purchaſed of them, the ſame year, the perpetuity of their whole fee-farm rent for 306*l.* 13*s.* 4*d.* In 1656 they petitioned Oliver for money, but he had too much need of it himſelf, to grant them any. They therefore ſold the town's gunpowder, that year, for 100*l.* and the year following ſold the iſland of Cobham for 530*l.* and the houſes and lands called the Grey Friers for 2600*l.* all of which went to the ſupport of the haven and piers.

In 1660, the town addreſſed King Charles, and made him a formal return of the fee-farm, purchaſed of the parliament, with the arrears due; and the more certainly to ingratiate themſelves with the king, they preſented him with 500*l.* as a mark of their loyalty.

We cannot help remarking here, how much the pliant and politic diſpoſition of the good people of Yarmouth reſembled that of the Vicar of Bray. The parliament they addreſs thus; "We cannot but in all "humility acknowledge the great and un- "ſpeakable goodneſs of God, in raiſing his "honorable houſe to repair the breaches of "many generations, and to recover our al- "moſt loſt liberties and religion *out of the* "*hands of thoſe that ſtuaied nothing more,* "*than to enſlave both ſouls and bodies of the* "*whole nation:* but our God hath broken "the ſnare, and we are delivered, &c." To the king, with a moſt eaſy effrontery, they "obſerve the great mercy of God, "not only in preſerving your ſacred Ma- "jeſty in ſo continued and eminent dangers, "but in reſtoring you to the poſſeſſion of "your rights and dominions, and us there- "by to the enjoyment of our birth-rights, "laws, and liberties, *(ſo long trampled upon* "*by a treaſonable uſurpation)* do accompt "it our greateſt duty to return all poſſible "praiſe and thanks unto our gracious God, "&c." But to return:

The charges of making new havens, and repairing old ones, were ſo conſiderable, that

that in the ſpace of 64 years (from 1549, to 1613) there appears to have been diſburſed 38652*l.* 18*s.* 4*d.* an enormous ſum, for ſo early a period.

In 1667, notwithſtanding the town had ſold houſes and lands to the amount of 400*l.* a year, obtained various ſupplies from government, beſides private aids, it appears then to have been in debt 9400*l.* on this diſtreſſing account. At an aſſembly, therefore, holden on the 4th of July, they appointed a committe "To conſider of a way "to raiſe money, for the maintenance and "repair of the haven and piers:" in conſequence of which, application was made to parliament, and a bill brought in, to provide for their ſupport. This bill met with ſome oppoſition from the city of Norwich, but on the town's producing an eſtimate of the neceſſary charges for the immediate reparation of them, which amounted to 13580*l.* and the ſub-committee, appointed by the committee of the houſe of commons, finding the allegations of the town to be true, they reported the ſame to the grand committee, and recommended the relief required by the town. This was again oppoſed by the gentlemen concerned,

who

who adviſed a commiſſion of eight perſons, *i. e.* two for Norfolk, two for Suffolk, two for Yarmouth, and two for Norwich, to enquire upon oath, into the preſent ſtate of the piers and haven, and the revenues for their maintenance. The houſe agreed to this, and ordered the commiſſion to be at the charge of the corporation, to be firſt opened at Yarmouth, and then adjourned and finiſhed at the diſcretion of the commiſſioners, who were to return the commiſſion before the enſuing 10th of Auguſt.

The parliament being prorogued ſoon after that time, the bill was not reported, tho' it had already been committed. Whereupon the burgeſſes petitioned the parliament, at their firſt meeting again, for leave to have the bill paſſed; which, after various difficulties and much oppoſition from the city of Norwich, was effected in the beginning of 1670; but not without a private contract, made at its paſſing the houſe of peers, for Yarmouth to pay to Norwich 50*l.* *per ann.* ſo long as the act continued in force. In the latter end of the ſame year, the commiſſioners appointed by this act, granted the corporation 12000*l.* for the repairs of the haven and piers, to be raiſed by

virtue

virtue of the ſaid act; under which the work was conducted with expedition and ſucceſs till 1677, when the town petitioned for a renewal of the act, which then expired. A bill was accordingly brought into the houſe, in April, and a committee being appointed, it paſſed into an act, to commence the 25th of March 1678, and to continue in force ſeven years; but on the expiration of that term, the duties raiſed by the act appearing ſtill inſufficient, the town was about to petition King Charles II. for his aſſiſtance, in 1685, when his death put a period to their deſign. In the firſt of James II. however, they obtained a third act, to continue in force for 14 years; but the ſtile of the corporation being altered, by royal proclamation, a fourth act was made, in the firſt of William and Mary, principally to explain ſo much of the former act as might be controvertible from that alteration.

On the expiration of that act, in 1699, the town made application for a fifth act, which was oppoſed by the city of Norwich, on account of three years arrears being due to them from Yarmouth, of the 50*l.* annuity, ſecured to them on paſſing the firſt act; but

but these being paid, and further security given by the corporation, this bill again passed into an act, which was to continue for 21 years, so that they were secured by parliament now, for a much longer term than they had ever been before.

The stile of the corporation being again altered, another explanatory act was passed in the first of Queen Anne.

In the 9th of George I. a seventh act was passed, to continue for 21 years, as the former had done; and in the 20th of George II. it was only revived, and continued for the term of two years, and to the end of the then next session of parliament.

But in the 23d of George II. 1750, the duties payable by virtue of that act were to cease, and a ninth act was passed, by which other duties were to be paid in lieu of them. The term of this act was also twenty one years.

CHAP.

CHAP. III.

Of KIRKLEY ROAD, its union with *Yarmouth*, &c.

HAVING had occaſion to mention, before the cauſes of Kirkley Road's being united to the port of Yarmouth, we ſhall here ſay ſomething more on that ſubject.

In conſequence of the charter of King Edward III. in his 46th year, which we have before mentioned, ſeveral people of Loweſtoft and the neighbourhood, were indicted at Yarmouth, in the following year, for refuſing to pay the cuſtoms of that port, for ſhips lading or unlading in Kirkley Road, agreeable to the injunctions of the ſaid grant. But the Loweſtoft men, not chuſing to truſt to the impartiality of a Yarmouth court, in a Yarmouth cauſe, brought their writ of *Certiorari*,

Certiorari, and removed the ſuit into the court of chancery, where they had the mortification to find the matter determined wholly in favor of the burgeſſes.

But in the 50th of that king, the commons of England, in the then parliament, as well as the people of Loweſtoft, petitioned the king for a repeal of the ſaid charter, as contrary to the common profit of the kingdom, and it was accordingly, in the ſame parliament, entirely repealed.

King Edward dying ſoon after this repeal, the burgeſſes ſued out a commiſſion of *Ad quod dampnum*, in the firſt of Richard II. dated April 12th, by virtue of which, an inquiſition was taken at Yarmouth, on Friday next after St. Faith's, in the 2d of that king, and another at Loweſtoft the day following; by which it was found, that though the uniting of Kirkley Road to the port of Yarmouth, was to the damage of the people of Loweſtoft, yet it was more commodious than diſcommodious to the king and his people.

Theſe

These inquisitions were laid before the parliament, with a survey of Yarmouth and Lowestoft, taken by the commissioners; upon which their former grants were now restored, as well by a private ordinance of the parliament, as by a charter of Richard II, dated the 24th of November, in his 2d year; which so irritated the inhabitants of Lowestoft that upon the proclamation of the charter there, by the under-sheriff of the county, (as was the custom before printing was invented) they caused a riot, and would not suffer him to proceed, threatening his life, if he ever dared to come there again on any such business, and "for fear of death, "he durst not execute the writ aforesaid. "And they drove him then and there, with "a multitude of rioters, with hue and cry, "out of the town, casting stones at the "heads of his men and servants, to the pernicious example and contempt of the lord "the king, and against his peace."

This victory did not continue long to the town without interruption; for in the 4th of the aforesaid king, the commons in parliament, at the instigation of those of Norfolk

folk and Suffolk, petitioned againſt the charter; alledging that a ſtatute had been formerly made, and confirmed in the laſt parliament at Glouceſter, "that every ſubject of the realm might buy and ſell without "diſturbance, in city, burgh, ſea-port, and "elſe where, throughout all the kingdom, "and if any charters or patents were granted to the contrary, they ſhould be holden "void, notwithſtanding which, a charter "in the ſame parliament had been granted "to the people of Yarmouth, that none "ſhould buy or ſell within ſeven leuca's of "the town, &c. &c." This occaſioned a freſh parliamentary enquiry, in which the impartiality and veracity of the inquiſitions taken in the 1ſt, and 2d of Richard II. were called in queſtion, and an order was given for a new commiſſion, in which a more rigid obſervance of juſtice was expected; for the better conducting of which, the burgeſſes in the mean time were commanded, on pain of the houſe's diſpleaſure, to make no diſturbance, nor offer moleſtation to thoſe concerned in the execution of the commiſſion.

The next year, therefore, on Monday next after St. Matthew the Apoſtle, the ſaid commiſſion

commiſſion was opened in Suffolk, and held by adjournment, the Thurſday after in Norfolk, by the lord chief juſtice of England, and other great commiſſioners, who ſurveyed the place, and took the depoſitions of certain knights and gentlemen of the counties of Norfolk and Suffolk; which being certified in chancery, and laid before the parliament, an act was made to repeal thoſe new grants for ever, not to be granted again; the charter was recalled and cancelled, the cauſes of ſo doing being written on it, and ſo remains in the tower.

The year following King Richard came himſelf to Yarmouth, and viewed the premiſes, which emboldened the burgeſſes again to renew their petitions for the regranting of their late charter. Accordingly they once more were favored with a new grant, dated the 20th of February, in his 8th year, to hold till the meeting of the next parliament, which was the year after, when by an ordinance of the ſame, dated the 8th of December, that grant was annulled, and the repeal in the 5th of that king confirmed; notwithſtanding which, the parliament held at Weſtminſter, the very next year, in conſequence

sequence of another petition, restored all their former grants, which were confirmed by a charter under the great seal of England; which having never yet been repealed, remains in full force at this time.

The charter, which is in Latin, runs thus:

"RICHARD by the grace of God, king of England and lord of Ire-
" land, to the arch-bishop's, bishops, ab-
" bots, priors, dukes, earls, barons, justi-
" ces, sheriffs, provosts, and to all his bai-
" liffs and faithful subjects greeting.

" We have seen the charter which lord
" Edward, late king of England, our fa-
" ther, made to our burgesses of Yar-
" mouth, in these words: *Edward by the*
" *grace of God, king of England, lord of Ire-*
" *land, and duke of Acquitain, to the bishops,*
" *abbots, priors, earls, barons, justices, she-*
" *riffs, provosts, ministers, and to all his*
" *bailiffs, and faithful subject greeting.* We
" have seen the charter of confirmation

" which

'which lord John, of famous memory, late 'king of England, our grandfather, made 'to our burgeſſes of Yarmouth, in theſe 'words; *John, by the grace of God, king 'of England, lord of Ireland, duke of Nor-'mandy and Aquitain, and earl of Anjou, 'to the arch-biſhops, biſhops, &c. &c.*"

[Here King John's charter, and all the other charters, confirmations, &c. to the 5th of this king, are recited at large; but as we ſhall have occaſion to mention the principal of theſe hereafter, they are purpoſely omitted, the following being all that properly belongs to this charter, excluſive of the ſaid recitals.]

'And how the commonalty of our king-'dom of England, by their petition in our 'preſent Parliament exhibited, among other 'things have requeſted us, that whereas 'the ſaid town of Great Yarmouth levies, 'and ſupports greater charges, as in pay-'ment of the farm of the town aforeſaid, 'and tenth, when by the commons of our 'kingdom it has been granted; alſo in for-'tification and ſupport of the ſame town 'againſt the enemies, than any other city 'or burgh within ſix counties in circuit next 'adjoining. And the ſaid town of Great

'Yarmouth is become ſo reduced, impo-
'veriſhed, and waſted, and the people of
'the ſame town of Great Yarmouth have
'ſo greatly withdrawn themſelves from the
'ſame town, that the other burgeſſes and
'commons who remain dwelling in the
'ſame town of Great Yarmouth cannot fur-
'ther conveniently ſupport ſuch charges,
'unleſs a remedy in the preſent parliament
'be thence ſpeedily applied. We are wil-
'ling graciouſly to grant and reſtore to thoſe
'burgeſſes and good men, the liberties and
'privileges aforeſaid. We having had ful-
'ler deliberation concerning the premiſes,
'with the prelates, dukes, earls, barons,
'and other nobles and great men of our
'kingdom in our preſent parliament, by the
'aſſent of the ſaid prelates, dukes, earls,
'barons, and great men, at the petition of
'the ſaid commonalty, as is aforeſaid, and
'for an hundred Shillings which the ſaid
'burgeſſes and good men, and their heirs
'and ſucceſſors aforeſaid, ſhall every year
'pay to us and our heirs, at the term of
'Eaſter and St. Michael, by even portions
'for an increaſe and augmentation of the
'ſaid annual farm of fifty and five pounds
'into our exchequer, have given and granted
'and

'and by this our charter confirmed, for us
'and our heirs, to the aforeſaid burgeſſes
'and good men of the ſaid town, of Great
'Yarmouth, and their heirs ſucceſſors, and
'burgeſſes of the ſame town, for an aid,
'relief, and ſupport of the town aforeſaid,
'the aforeſaid place of *Kirkley-Road*; and
'that place to the town aforeſaid, and the
'port of the ſame, we do annex and unite,
'to have and to hold to the ſame burgeſſes
'and good men, and to their heirs and ſuc-
'ceſſors, burgeſſes of the town aforeſaid, of
'us and our heirs, to the ſaid town and
'ports annexed for ever. Willing and
'granting for us and our heirs, to the ſame
'burgeſſes and good men, that they and
'their heirs and ſucceſſors aforeſaid may for
'ever have in the ſaid place of *Kirkley-*
'*Road*, all and ſingular the liberties and
'quittances above written in the charters
'aforeſaid expreſſed, as they ought to have
'the ſame liberties and quittances, in the
'ſaid town, by virtue of the charters and
'confirmation aforeſaid; and of all ſhips and
'boats which ſhall happen to come to the
'ſame place of *Kirkley-Road*, and therein
'part or wholly unlade, may have and re-
'ceive the ſame cuſtoms, which they, ac-

'cording to the liberties aforeſaid, of the 'ſame ſhips and boats might have, if they 'at the ſaid town ſhould arrive, and there 'in part or in the whole, in like manner 'unlade. We have alſo granted, for us and 'our heirs, to the ſaid burgeſſes and good 'men, and for ever confirmed to the ſame, 'and to their heirs and ſucceſſors aforeſaid, 'that no ſhip nor any boat be hereafter 'laden or unladen, at any town or place 'upon the ſea coaſt, from the ſaid town of 'Great Yarmouth, within leven leucas 'diſtance, by any perſon whomſoever, of 'herrings, or of any other merchandizes 'except the ſhip or boat, and the herrings 'and other merchandizes, be the ſame 'perſon's proper goods only, and not any 'others, but at the ſaid town of Great 'Yarmouth, or in the port of the ſame, 'or at the place of *Kirkley-Road* aforeſaid. 'And alſo, that in the time of the ſaid 'fiſhings and fair of herrings, no fair be 'holden, nor any ſelling or buying, for the 'ſake of merchandizing, be tranſacted any 'where within the ſpace of ſeven leucas 'about the town aforeſaid, but only at the 'ſame town of Great Yarmouth, or in 'the port of the ſame town, of herrings or

'other

'other merchandizes whatever. And we 'do ſtrictly prohibit, for us and our heirs, 'that no one hereafter, within the ſpace 'aforeſaid, of ſeven leucas, any ſhip or boat 'other than his own proper ſhip or boat, 'and with his own proper herrings and 'other merchandizes, in any place but only 'at the ſaid town of Great Yarmouth, or 'in the port of the ſame, or at the ſaid 'place of *Kirkley-Road*, do preſume to lade 'or unlade, or in the time aforeſaid hold 'any fair or make buying or ſelling, on 'pretence of merchandizing of herrings. or 'any other merchandizes, but only at the 'ſaid town of Great Yarmouth, or in the 'port of the ſame, upon forfeiture of the 'ſhips and boats to be ſo laden or unladen; 'and of the herrings or other merchandizes 'which ſhall happen to be ſo laden or un-'laden; or in ſuch fairs or elſe where, by 'way of merchandizing, to be put to ſale, 'contrary to our ſaid prohibition, to be 'hereafter applied to the uſe of us or our 'heirs, of which ſaid forfeitures we do will 'and grant, for us and our heirs, that the 'bailiffs of the ſaid town of Great Yar-'mouth, who for the time ſhall be, from 'time to time can and may enquire, and the

'ſame into our hand take, and ſafely for
'our uſe cauſe to be kept, and to us and
'our heirs thereof, and of the ſaid hundred
'ſhillings, over and above the ſaid old farm
'of fifty and five pounds, at the exchequer
'aforeſaid, yearly, at the terms of Eaſter
'and St. Michael ſhall make anſwer, ac-
'cording to the force, form, and effect of
'the gifts, grants, and confirmations of our
'ſaid grandfather and us aforeſaid, ſo to the
'aforeſaid burgeſſes and good men made,
'the repeal, and annullings aforeſaid not-
'withſtanding. And we, of our abundant
'grace, whatever letters patent of us and
'our ſaid grandfather, made to the town
'of Loweſtoft, or the men of the ſame town,
'to the contrary of the gifts, grants, and
'confirmations aforeſaid by the tenor of
'theſe preſents, do utterly repeal. So al-
'ways that whatſoever, as well ſtrangers as
'all other our liege people, who to the
'ſaid town of Great Yarmouth, or the port
'of the ſame, ſhall come to buy or ſell her-
'rings there, ſuch herrings, within the ſaid
'town of Great Yarmouth, and port of the
'ſame, during the fair there, may freely
'and peaceably buy and ſell, and from thence
'at their pleaſure carry, without moleſtation

'or

'or impediment whatſoever. Wherefore 'we do will and firmly command, for us 'and our heirs, that the aboveſaid burgeſſes 'and good men of the ſaid town of Great 'Yarmouth, may have and hold to them, 'and their heirs and ſucceſſors aforeſaid, of 'us and our heirs aforeſaid, the ſaid place 'called *Kirkley-Road*, to the ſaid town of 'Great Yarmouth, and the port of the ſame, 'annexed and united for ever; and all and 'ſingular the liberties, quittances, and pri-'vileges above written, according to the 'form and tenor of the donations, grants, 'and confirmations aforeſaid for ever. So 'always that whoever, as well ſtrangers as 'all other our liege people, who to the afore-'ſaid town of Great Yarmouth, or the port 'of the ſame, ſhall come to buy or ſell 'herrings there, ſuch herrings within the 'ſaid town of Great Yarmouth, and the 'port of the ſame, during the fair there, 'may freely and peaceably buy and ſell, and 'from thence carry, without moleſtation or 'impediment of any perſon ſoever, as is 'aforeſaid. Theſe being witneſſes: the re-'verend fathers, *William, Archbiſhop of Can-'terbury*, primate of all England; *R. of 'London, W. of Wincheſter, Thomas of Ely,*

'our

'our Chancellor, *Thomas of Exeter*, *R. of Salisbury*, *John of Hereford*, our Treasurer, 'and *Thomas of Cirenster*, bishops; *Edmund* 'duke of *York*, and *Thomas duke of Glocester*, 'our most dear uncles; *Richard Arundell*, 'William de *Montacute*, of Salisbury, *Edmund* 'de *Courtney*, of Devonshire, *Thomas Mow-* 'bray, of Nottingham, Marshall of England, 'and *Henry de Percy*, of Northumberland, 'earls; *Nicholas Abbot*, of Waltham, *Roger* 'de *Clifford*, *Reginald de Gray*, of Ruthyn. 'Ralph *Basset*, of Drayton, *John de Cobham*, 'of Kent, *John Lovell*, *Richard Lestrope*, 'John *Devereaux*. *John de Waltham*, keeper 'of our Privy Seal, *John de Montacute*, 'steward of our household, and others: 'dated by our hand, at Westminster, the 'twenty-eighth day of November, in the 'tenth year of our reign.'

This formal confirmation of the liberties of Yarmouth seems to have given the decisive blow in this contest; for the burgesses after this collected their customs in *Kirley-Road* as peaceably as in their own haven; and the Lowestoft people for some years after, farmed them of the burgesses. But about the beginning of the reign of Henry IV. several officers and others belonging to Yarmouth

mouth were indicted by the inhabitants of Loweſtoft on ſome occaſion of collecting the cuſtoms, the ſuit was carried into chancery, and the difference at laſt ſettled by that king and his council, in the 2d of his reign; after which, peace being again reſtored, the burgeſſes collected their cuſtoms there, as uſual, without interruption.

CHAP. IV.

Of the various Suits and Conteſts. *in which Yarmouth has been engaged, reſpecting the rights and privileges of the town.*

PRIOR to the charter granted by king John, we do not find that Yarmouth was of importance enough to be engaged in many ſuits about cuſtoms or revenues. It was then in the kings hand, as well as Lothingland; but, as ſoon as that charter had inveſted the burgeſſes with its numerous privileges,

vileges the town began to rear its head, and acquired a more reſpectable aſpect; their trade and commerce wore a more flouriſhing appearance, and began to aſſume an importance which ſoon excited the jealouſy of their neighbours. Little Yarmouth conſiſting then of Weſt-town and North-town, muſt have contained many inhabitants. and thoſe joined to the people of Gorleſton, equally envious of the good fortune of Great Yarmouth, and apprehenſive of its future power and ſuperiority, ſoon diſcovered themſelves to be no leſs formidable rivals than implacable enemies, and accordingly omitted no opportunity of attacking their privileges, and of endeavouring to turn ſome of their cuſtoms and franchiſes to their own account. We do not, however, find any material oppoſition till the 12th of Henry III. where Roger Fitzlobert, warden of Lothingland manor, took certain cuſtoms in the port of Yarmouth againſt the expreſs liberties of the burgeſſes, which being repreſented to the king, he commiſſioned Martin de Pateſhall and others, to enquire into, and aſcertain what cuſtoms belonged to the burgeſſes, and what to his ſaid manor of Lothingland. Whereupon an inquiſition was taken at Yarmouth

mouth the ſame year, upon the oaths of 22 knights and others of Norfolk, and 26 of Suffolk, when a verdict was found, that all wares ought to be ſold and unladen at Great Yarmouth and that all the haven belonged to the burgeſſes of that town; but that the leſſer wares and victuals might be unladen at Lothingland, on the Yarmouth ſide, at the option of the owners or the importers thereof.

The determination, though much in favour of Yarmouth, did not prevent the burgeſſes from conſidering themſelves as loſers in the conteſt; ſince by that, ſhips might unlade with victuals on the Lothingland ſide, and as their chief trade was fiſhing, they found themſelves conſiderably hurt in an article whence aroſe their greateſt profits. In the 40th of that king, therefore, they petitioned for and obtained of him a new charter, 'that all merchandizes and wares, as 'well of fiſh as of other commodities, ſhould 'be ſold at Yarmouth, by the hands of the 'importers of them into the haven, whether 'found in ſhips or without; and that hence-'forth there be no brokers in the aforeſaid 'town of Yarmouth, by whom the buyers 'and ſellers may be impeded, to the detri-'ment of the ſaid town.'

In

In the same year the burgesses obtained of that king a *Non arrestentur nisi*, or charter of debtor and creditor, by which it was ordained, 'that they and their heirs, burgesses 'of the same town, through our whole land, 'and dominion, as well by sea as by land, 'shall have this liberty; to wit, that they and 'their goods, in what place soever found in 'our dominion, be not arrested for any debt, 'whereof they have not been sureties, or 'principal debtors, except it happens the 'very debtors be of their commonalty and 'government, having whereof they may sa-'tisfy their debts wholly or in part, and the 'said burgesses have in justice made default 'to the creditors of the same debtors, and 'of this reasonable evidence shall appear."

Besides these contests, the burgesses were subject to many others; and in particular, on account of King Henry's exchanging the fee-farm of Yarmouth and Lothingland, with John de Baliol of Bernard castle, for certain lands in Cheshire.

The said John de Baliol dying in 1269, the fee-farm of Yarmouth and Lothingland became the possessions of John de Baliol, his son, king of the Scots; who as well as his father, had for many years taken tolls and customs

cuſtoms in the port of Yarmouth, contrary to the charter and injurious to the intereſt of the burgeſſes, who had ſuffered theſe invaſions of their rights with impunity, from an apprehenſion of their inability to contend with ſuch powerful adverſaries. But after the ſaid king of the Scots had renounced his homage to Edward I. king of England, and in conſequence had forfeited all his Engliſh eſtates, this fee-farm of Yarmouth and hundred of Lothingland reverted to the crown.

Hence in the 34th of the ſaid king Edward, the year in which that king gave all Baliol's Engliſh poſſeſſion to John de Britainy, his nephew, the burgeſſes thought this the moſt eligible time to apply to that king for an explanation of Henry IIId's. charter, which they alledged was couched in too vague and obſcure terms, and ſolicited one that might be more explicit, by which their right and title to all cuſtoms in the port of Yarmouth might be rendered clear and indiſputable. This the king, with the advice of his privy council, granted in Trinity term, the ſame year, notwithſtanding all the oppoſition made to it by the inhabitants of Little Yarmouth and Gorleſton; by which

which it was secured to them, , that whatsoever *merchandizes and wares, whether they consist of fishes or other goods whatsoever*, which within the port of the town aforesaid, or the same town, by land or by sea, on account of negotiating the same there, shall happen to be brought or carried, shall be, by the hands of the merchants bringing those merchandizes and wares, and willing to sell there, or of their servants, *freely and openly exposed to sale at the same town of Great Yarmouth, and there sold and bought without any forestalling or brokerage, or other impedement whatsoever*; so that no forestaller, broker, or other whatsoever, shall meet the merchants with fishes or other merchandizes, or other saleable goods *coming towards the said town*, by land or water, to buy any thereof, or to make forestallings, or brokerages thereof, *under forfeiture of the commodity bought*, whereby the said burgesses or any merchants, bringing thither such merchandizes and wares, may be in any manner hindered at their buyings and sellings, to the detriment of the town aforesaid.'

These privileges, ever since the making of that charter, the burgesses have enjoyed;

joyed; and all ſhips bringing goods to the port of Yarmouth, whether they have belonged to the inhabitants of Little Yarmouth, or Gorleſton, or elſewhere, have by virtue of the ſaid charter, been unladen, and their cargoes expoſed to ſale and ſold, in the ſaid town of Great Yarmouth.

Notwithſtanding which, there were afterwards frequent controverſies between the burgeſſes and the inhabitants of Little Yarmouth and Gorleſton, who on many occaſions continued their claim to, and did abſolutely take ſome of thoſe cuſtoms excluſively granted to Great Yarmouth. Moreover we find an inquiſition taken in the 8th of Edward II. about the rights of John de Baliol, in his hundred at Lothingland, and the towns of Little Yarmouth and Gorleſton, he having taken for every foreign ſhip 18d. —for every Engliſh ſhip 4d. per annum:— for every loaded cart or horſe ½d.——for every laſt of herrings, by a foreign merchant, 4d.; the payage belonging to him was valued at 4d.——he uſed to take attachments of every ſhip anchoring on the Lothingland ſide, as far as the file of the water.

Another

Another diſpute happened in the 19th of the aforeſaid king, between the burgeſſes of Yarmouth, and the inhabitants of Little Yarmouth and Gorleſton, about certain liberties and privileges granted by that king's progenitors, when it was finally determined in favour of Great Yarmouth. But in the 2d. of Edward III. John de Britainy, earl of Richmond, (to whom, we have before obſerved, king Edward I. gave the hundred of Lothingland) and his tenants of Little Yarmouth and Gorleſton, preſented a petition to that king, claiming half the haven of Great Yarmouth, as being an arm of the ſea, and belonging to him and his predeceſſors, lords of Lothingland; alledging alſo, 'that he ought to have, and his anceſ-
'tors to have had the arriving, diſcharg-
'ing, and lading of ſhips, goods and mer-
'chandizes, coming in and going out of
'the haven, and alſo a certain cuſtom, as
'well of the ſaid ſhips, as of the goods
'and merchandizes ſo being laden or diſ-
'charged, together with a fair and market.
'and a free buying and ſelling by the ſaid
'men and tenants of Little Yarmouth and
'Gorleſton, with all the merchants and
ſhips

" ſhips there arriving; and further, that the
" ſaid earl and his anceſtors, and the ſaid
" tenants and their anceſtors have had the
" continual poſſeſſion of theſe things, until
" a charter thereof was made and granted
" by king Henry III. unto the aforeſaid bur-
" geſſes and commonalty of Great Yarmouth;
" and that the ſaid charter was not rightly
" granted, becauſe the king was not then
" informed of the damage and hurt that
" might grow, by reaſon of the granting of
" the ſaid charter."

To this the burgeſſes pleaded their char-
ter of the 34th of Edward I. which we
have before mentioned, and exhibited ano-
ther record of the 19th of Edward II.
which is alſo mentioned above, by which it
appeared, that a new controverſy had ariſen
between the ſaid burgeſſes, and the inhabi-
tants of Little Yarmouth and Gorleſton,
before the Lord Chancellor, and the King's
juſtices and council, at Norwich, becauſe
of the men of Little Yarmouth and Gor-
leſton, having hindered and interrupted the
ſaid burgeſſes in their liberties granted to
them by the aforeſaid charter, and in ſuch
queſtions as were adjudged and decreed a-
gainſt them in the exchequer, in the 34th

of Edward I. but particularly on account of foreſtalling, as well of fiſh, as of other merchandizes coming within the ſaid haven.

In anſwer, the men of Little Yarmouth and Gorleſton alledged, that they might lawfully do ſuch things *by ancient preſcription*; that the ſaid half hundred (of Lothingland) is antient domain of the crown, and that ſuch things were done by the men of Little Yarmouth and Gorleſton in the time of Canute and Harold, and in other kings' days after them, being owners of the ſaid half hundred; and alſo in the time of Devergale, of Baliol, and of John of Baliol, (king of Scots) alſo owners thereof; with many other reaſons, to prove what they did to be *legal*, by preſcription and poſſeſſion, though in the very face of grant after grant, confirmed by different kings. The reſult was, therefore, an eſtabliſhed decree in favor of the burgeſſes, that they ſhould hold and enjoy the liberties granted to them by their ſaid charters.

The burgeſſes alſo produced another record of the 34th of Edward I. wherein that king, by his letters patents, appoints five

five of his juſtices to make a ſpecial enquiry into, and determination upon ſuch foreſtallments and abrochments made by the men of Little Yarmouth and Gorleſton, to the prejudice and hurt of the aforeſaid burgeſſes, contrary to the tenors of their ſaid charters; and the ſaid men of Little Yarmouth and Gorleſton, being called before the commiſſioners, and having produced their reaſons and allegations, the ſaid commiſſioners adjudged that the ſaid burgeſſes ſhould recover their damages, againſt the ſaid men of Little Yarmouth and Gorleſton, for the foreſtallments and abrochments made as aforeſaid.

To which the earl of Richmond and his ſaid tenants made anſwer, that theſe things, if any ſuch were done, were not prejudicial to them, but that they ought to have and enjoy their ancient liberties and cuſtoms by preſcription uſed; upon which the Monday in the ſecond week of Lent, was fixed on anew for both parties to appear before the king and his council; and the burgeſſes had further orders to produce there, the ſaid three records.

Accordingly all parties appeared, on that day, before the king and his council at Lei-

ceſter, when, after long pleadings and proceſs, the burgeſſes produced their charters, together with the aforeſaid records, under the ſeal of the exchequer, and prayed a confirmation of their charters and liberties as therein ſet forth. But the ſaid earl and his tenants alledged that they were then ready to inform the king of the damages and prejudices which have happened, eſpecially to the king, ſince the grant of the ſaid charter; and ſolicited that, notwithſtanding the proceedings and matters of the aforeſaid record, they might be permitted to ſet forth their reaſons, and allegations for the revoking of the aforeſaid charters; becauſe they had petitioned againſt them to the king's parliament, from which their petition had been ſent hither, for juſtice to be done.

The burgeſſes to this replied, that it was not in the power of the earl and his tenants, to cauſe the king to revoke the ſaid charters and liberties, nor could they make themſelves parties concerned; and therefore they demanded judgement to confirm their ſaid charters and liberties, and that they might have juſtice impartially adminiſtered to them.

Here-

Hereupon the king ſent his writ, containing all the circumſtances of the controverſy between the ſaid parties, to the juſtices of the king's pleas, commanding them to hear the cauſes and determine upon them in right and juſtice; or if any extraordinary difficulty ſhould ariſe, to ſend the whole proceſs of the ſaid controverſy again before the king and his council to his parliament. At the ſame time alſo, the king iſſued his writ to the barons of the exchequer, to ſearch amongſt the records there, for any thing that could be found to ſet the matter of theſe controverſies in a true light. The ſaid barons, therefore, in return, certified to the king, that a record was found by which it appeared that the king's commiſſion had been iſſued to Salomon of Rolf, Walter of Hopton, Richard of Boyland, Robert Fuke, Thomas of Suddington, and Walter of Sturtheſly, the king's juſtices in Eyre, and that it was preſented and found before the ſaid commiſſioners, that Gilbert Foderingay, ſometime bailiff of Deverguld of Baliol, did levy certain cuſtoms of ſhips at Little Yarmouth and Gorleſton wrongfully, and that there ought to be neither fair nor market

there; accordingly the ſaid record was laid before the aboveſaid juſtices of the king's pleas, before whom appeared the aforeſaid earl and his tenants, as alſo the burgeſſes of Great Yarmouth, when the ſaid cauſes were heard, but a final determination was not then put to them, on account of certain important matters, which the ſaid juſtices deemed undeterminable at that time.

In the Eaſter term following, the king ſent another writ from Northampton, to the ſaid juſtices, containing again the whole proceſſes, and commanding them again to hear and examine them, and to give judgment therein according to right; by virtue of which the ſaid juſtices ſummoned before them, the ſaid parties, and the matter was again heard without a determination; the ſaid juſtices adjourning it to the Midſummer term, at York, when it was again heard and again left undecided. Whereupon the king iſſued out another writ to the ſaid juſtices, commanding them to ſend all the whole matters and proceedings in the ſaid controverſies, to be laid before the king and his council at York, becauſe the juſtices could not determine them; which being done, a

day

day was fixed on when all parties were to appear before the king and his council; and the king iſſued out his proclamation for both parties to remain peaceable till matters could be legally determined; which, however, had not the deſired effect, as will afterwards appear.

At the day appointed, all parties met, but as another important circumſtance was then brought to light, the king was forced to iſſue a new writ to adjourn the hearing of theſe cauſes to Saliſbury, before the king and his parliament, and a day was again fixed for that purpoſe. New difficulties ariſing at Saliſbury, the king was again obliged to adjourn the hearing to the next parliament.

The next parliament, which was at Wincheſter, in the 4th of king Edward III. met with new difficulties, and it was once more adjourned to the enſuing parliament, which was held at Weſtminſter, the ſame year. Here all parties again appeared, when, amongſt other things, the burgeſſes exhibited a certain record under the ſeal of the exchequer, whereby it appeared, that in the 12th of king Henry III. the king iſſued out

his commiſſion to Martin of Pateſhall and others, (as before mentioned) by which a verdict was given, on the oaths of 48 of the principal gentlemen of Norfolk and Suffolk, that the haven did wholly belong to the burgeſſes of Great Yarmouth, and for other matters there agitated, did determine in favor of the ſaid burgeſſes; to this the burgeſſes added all their charters and other records, granted by the different kings, all which tended to confirm the ſaid liberties and privileges.

All theſe did not appear concluſive to the earl of Richmond and his tenants, who ſolicited the king to order another commiſſion, to enquire into the uſe of the ſaid liberties, grants, rights, and privileges, in order to come to an inveſtigation of the truth of theſe matters.

This the king granted, and aſſigned the biſhop of Wincheſter, then lord chancellor of England, to go to Norwich, and there to make enquiry, upon the oaths of the beſt men of Norfolk and Suffolk, of the uſe of the ſaid grants, and in whom theſe rights and privileges ſhould be. At the ſame time, the king directed his writ to the ſheriff

riff of the ſaid counties, requiring the bodies of 24 of the county of Norfolk, and 24 of the county of Suffolk, as well knights, as other good and able men, to enquire into the ſaid matters, and to give their verdict before the ſaid lord chancellor. This reſpectable jury being ſummoned, impannelled and ſworn, upon hearing of the ſaid matters, gave their verdict in favor of the burgeſſes, againſt the ſaid earl of Richmond and his tenants, the men of Little Yarmouth and Gorleſton, as appears by the record, dated 23d of June, in the 5th of Edward III.

A new day was then fixed on for the ſaid parties to appear in chancery, to hear judgment in the premiſes, and they meeting accordingly, the king moved the ſaid parties to put all the ſaid controverſies to be heard and determined by ſuch as he ſhould appoint; which being agreed to, the king appointed the aforeſaid biſhop of Wincheſter, lord chancellor of England, the lord John Stoneherd, and John of Cambridge, his juſtices, Robert of Ufford, and Oliver of Yngham, and Ralph Nevel, ſteward of the king's houſehold, to be arbitrators in the

ſaid

ſaid controverſies, and appointed them alſo to come to Yarmouth, to view the premiſes, whence aroſe theſe controverſies, and to ſettle peace and good underſtanding between the ſaid parties. Accordingly they came down, viewed the places, and heard the ſaid cauſes and controverſies, with the charters, records, and allegations of both parties; the reſult of which was, a final order and decree in behalf of the burgeſſes of Great Yarmouth, agreeable to their ancient grants and charters; which decree being certified to the king, he immediately granted the ſaid burgeſſes a new charter, in full confirmation of their former rights and privileges; which is as follows:

'Edward, by the grace of God, king of 'England, lord of Ireland, and duke of 'Acquitain, to all unto whom the pre'ſent letters ſhall come, greeting. Know 'ye, that whereas lord Edward, of famous 'memory, late king, our grandfather, by 'his charter, which lord Edward, late king 'of England, our father, by his charter, 'and likewiſe we, by our charter, have con'firmed to our burgeſſes of our town of

'Great

'Great Yarmouth, that all merchandizes 'and wares, whatſoever they be, either of 'fiſh, or of other things whatſoever, which 'within our haven of our ſaid town of 'Great Yarmouth, ſhall happen to be brought 'or carried in ſhips or boats, or other man-'ner, that the ſame may be there negoci-'ated, ſhall be lawfully and openly, at the 'ſame town of Great Yarmouth, and not 'elſewhere within the haven aforeſaid, ex-'poſed to ſale by the hands of the per-'ſons bringing or carrying thoſe merchan-'dizes and wares, and willing to ſell them 'there, or by the hands of their ſervants, 'and there ſhall be freely ſold and bought 'to whomſoever they will, without any 'foreſtalling, abrochment, or other impe-'diment whatſoever; ſo that no foreſtaller, 'broker, or other whoſoever, ſhall meet the 'merchants with fiſh, or other merchan-'dizes, and goods ſaleable, coming towards 'our aforeſaid town, to buy any thereof, 'or to make foreſtallings or abrochments 'thereof, in or without the ſaid town, un-'der forfeiture of the thing bought, where-'by the ſaid burgeſſes, or any merchants 'bringing thither ſuch merchandizes and

'wares,

'wares, ſhall be in any wiſe obſtructed in 'their buyings and ſellings, to be tranſacted 'in our ſaid town of Great Yarmouth, to 'the detriment of the ſame town, as is 'more fully contained in our charter afore-'ſaid.

'And a plea has been exhibited in diverſe 'courts of ours, as well parliaments as 'other, between John de Bretagne, earl of 'Richmond, and the men and his tenants 'of the towns of Little Yarmouth and 'Gorleſton, of the one part, and the com-'monalty of the ſaid town of Great Yar-'mouth, on the other, by reaſon of certain 'impediments made by the aforeſaid bur-'geſſes, under pretence of the charter of 'our ſaid grandfather, as was alledged to 'the ſame men and tenants of the towns 'of Little Yarmouth and Gorleſton, about 'taking the profits of lading and unlading 'of ſhips, willing to come to the ſame 'towns of Little Yarmouth and Gorleſton, 'and about ſelling and buying of commo-'dities ſet to ſale there; that in that plea 'between the ſame parties, it has been con-'ſidered by us and our council, that the

'ſame

'ſame earl and his heirs, alſo the men and
'tenants of the ſaid towns of Little Yar-
'mouth and Gorleſton, their heirs and ſuc-
'ceſſors, may lade and unlade their own
'proper ſhips, with things and merchan-
'dizes laden in the ſame ſhips, either of
'herring, or of other fiſhes, things and
'merchandizes whatſoever, at the ſame
'towns of Little Yarmouth and Gorleſton,
'and put to ſale their own goods and mer-
'chandizes there, and other wiſe make their
'own advantage thereof, at their free will,
'paying thence there to them whom we or
'our heirs ſhall depute to this office, the
'cuſtoms due and uſual; a certain ſubmiſ-
'ſion of ſome men and tenants of the ſaid
'towns of Little Yarmouth and Gorleſton,
'and alſo of ſome burgeſſes of the ſaid
'town of Great Yarmouth, to ſome of our
'council, deputed finally to determine the
'ſaid buſineſs, between the aforeſaid parties;
'alſo a certain ordinance made thereupon
'by thoſe of the ſame council between the
'ſame parties, or the aforeſaid charter of
'our grandfather himſelf notwithſtanding.
'In ſuch manner, nevertheleſs, that their
'ſhips, with their wool, hides, and wool-

felts,

'felts, of which great cuſtoms ought to be
'given, ſhall be laden in the ſame port, in
'the place where our trone and our ſeal,
'which is called the *cocket*, are, and no
'where elſe. And that it was our will,
'and the intention of us and our council,
'that the ſaid charter of our ſaid grand-
'father, made to the aforeſaid burgeſſes of
'the town of Great Yarmouth, as is afore-
'ſaid, be in no wiſe reſtricted by this conſi-
'deration in reſpect to others, but that it
'have its place and effect in all things, and
'towards all, both natives and aliens, ex-
'cept the ſame earl, the men and tenants
'of the ſaid towns of Little Yarmouth and
'Gorleſton, their heirs and ſucceſſors, in
'form aboveſaid; ſaving the right of the
'citizens of London, Norwich, the Barons
'of the Cinque-Ports, and of others whom-
'ſoever, if that they have any thing by
'charters of a former date to the charter
'of our ſaid grandfather, or in other man-
'ner, in this behalf. And that it was de-
'creed and inhibited by us and our ſaid
'council, to the aforenamed earl, the men
'and tenants of the ſaid towns of Little
'Yarmouth and Gorleſton, that they at-

tract

'tract not, in what manner ſoever, the ſhips 'of others to the ſame towns of Little 'Yarmouth and Gorleſton, under our gri-'vous forfeiture, nor exerciſe any merchan-'dizes in the water of the port aforeſaid, 'with any perſons by the aforeſaid charter 'of our ſaid grandfather reſtrained, nor 'cauſe any impediment whereby the ſame 'burgeſſes cannot uſe and exerciſe the ſaid 'charter of him our grandfather towards 'others, as is aforeſaid, in all its articles, 'according to the force and efficacy of the 'ſame. And that it was ordered and in-'hibited, as well to the aforenamed com-'monalty, as to the aforenamed men and 'tenants of Little Yarmouth and Gorleſton, 'not to preſume to attempt any thing con-'trary to the ſaid conſideration and afore-'ſaid inhibition, under the forfeiture above-'ſaid, as in the record and proceſs thence 'had, and in our chancery remaining, it is 'more fully contained. We, leſt the pre-'miſes, which, for the tranquillity and 'quiet of the parties aforeſaid, and main-'taining juſtice, have been ſo conſidered by 'us, and our aforenamed council, in times 'to come, ſhould be called in doubt, have

'thought

'thought proper to teſtify them by the te-
'nor of theſe precepts.

'In witneſs whereof, we have cauſed theſe
'our letters to be made patent. Witneſs
'Myſelf at Woodſtock, the 10th day of
'July, in the 6th year of our reign."

It was with much propriety this charter recommended, and endeavoured to enforce, *tranquillity and quiet*; for the inhabitants of Little Yarmouth and Gorleſton, in defiance of the king's proclamation, and other means uſed to reſtrain them, were guilty of the moſt daring inſults to the burgeſſes of Great Yarmouth, raiſed mobs, and committed riot after riot; the conſequence of which was, not only a deprivation of the rights and properties of the burgeſſes, but life itſelf, as appears by authentic records; and tho' they did find means to eſcape juſtice for ſeveral years, the greateſt part of them were at laſt taken; ſome of whom were tried for murther, ſome committed to the Marſhalſea priſon, and ſome were ſubmitted to the king's determination.

In

In the 3d of Edward III. ſix men of Gorleſton were tried for taking away by force herrings, and other goods, to the amount of 20*l.* the property of Richard Roſe, of Great Yarmouth; and the next year, the ſaid Richard Roſe again proſecuted five other men of Gorleſton, for carrying away his veſſel, by force and arms, value 10*l.*

In the ſame year, alſo, Henry Randolph impleaded 14 men of Gorleſton, for taking away 30*l.* of his caſh, and beating, wounding, impriſoning, and otherwiſe cruelly treating, John Whynhowe, his ſervant, ſo that he was deprived of his ſervices for a long time.

In the 5th of that king, amongſt other caſes, John Elys impleaded eleven men of Gorleſton, for a ſimilar offence. And in the ſame year, many men of Little Yarmouth and Gorleſton were judged, for murdering a man, in one of theſe riotous conflicts.

However, by the above charter, the rights of the burgeſſes being more clearly determined, and more ſolemnly ratified, theſe daring aſſaults and conteſts in proportion ſubſided. And in that king's 7th year, he granted the burgeſſes an aid towards the payment of their fee-farm rent, by another

charter, in which ſeveral liberties and privileges are confirmed to them and their ſucceſſors, eſpecially that they 'ſhall ever have 'in their town aforeſaid, the *tronage*, and 'ſhall receive and have the profits thence 'ariſing, towards payment of their farm of 'the town aforeſaid; * * * * * and that they 'ſhall be for ever quit of toll, anchorage, 'pannage, paſſage, picage, murage, kayage, 'carriage, and rivage, through our whole 'kingdom and dominion, &c."

Thus matters continued, without any material interruption, till the 12th of Queen Elizabeth, when the earl of Richmond, and his tenants of South-Town, or Little Yarmouth, raiſed a conteſt about the ground on the ſouth ſide of the haven's mouth.

In the 13th of that Queen, by an order of Aſſembly, certain perſons were appointed 'To take all ſuch horſes as ſhall be ferried 'over at Gorleſton, upon Yarmouth com-'mon, and impound the ſame horſes; and 'to cauſe the owners thereof to replevy the 'ſame.' This was in conſequence of ſome diſputes about the ferries, the bridge being then rebuilding.

Other differences ariſing from theſe, the whole matters in diſpute were referred to the

the arbitration of Sir Chriſtopher Heydon and Sir Wm. Butts, as appears by the following record:

In camera ſtellata, coram dom' regina, &c. *i. e.* 'In the Star-Chamber, before our 'Lady the Queen and her council there, on 'Friday the 1ſt day of February, in the '14th year of the reign of our Lady Queen 'Elizabeth.

'This day being appointed for the hearing of the matters of riot betwixt the inhabitants of the towns of Yarmouth and 'Gorleſton, there was information given, 'before the court ſhould enter to the hearing thereof, of the whole ſtate of the 'cauſes on both ſides, and the occaſions 'ſhewed whereupon the riots grew; and ſo 'an humble requeſt was made to this honorable court, in reſpect of thoſe great and 'good conſiderations which thus were ſhewn, 'that the hearing of theſe cauſes might be 'ſpared, and that it might pleaſe the court 'rather to authorize ſome of worſhip beneath in the country, for quietneſs ſake, 'and for the avoiding of further expences, 'to have the hearing of all cauſes in controverſy betwixt them, and ſo to make a final 'end of the ſame.

'The court being well advised of this in-
'formation and request, and having regard
'to the special points thereof, which ap-
'peared very reasonable, together with the
'conformity of the parties on either side,
'allowed together of the same, and so or-
'dered by consent of both sides, that all
'causes now in question betwixt them be
'compromitted to Sir Henry Heydon and
'Sir William Butts, knights, whom this
'court doth earnestly require, calling the
'parties before them, at their convenient
'leisure, to take some pains herein, and to
'use all such good ways and means as they
'can, to make a perfect end and agreement
'betwixt them, so as either side may not
'hereafter any more molest and trouble
'other their doings; whereas this honora-
'ble court will well like and allow of. But
'if this be not done by the second sitting
'of the next term, whereof this court would
'not willingly hear, then the court meaneth
'that very day to proceed to the hearing
'of the causes depending here, as they now
'intended; upon which day the parties on
'both sides are then to give their attendance,
'as the order is.'

The

The Order and Decree, *made and ſet down by commiſſion from the lords and others of her Majeſty's council, directed out of the Star-Chamber, upon ſundry controverſies moved between the bailiffs, burgeſſes, and commonalty of the town of Great Yarmouth, on the one part, and Sir Henry Jerningham, Knight, and his tenants and men of Gorleſton, of the other part, exemplified under her Majeſty's broad ſeal, as follows:*

'Elizabeth, by the grace of God, of 'England and Ireland Queen, Defender of 'the Faith, &c. to all unto whom theſe 'preſent letters ſhall come, greeting. We 'have peruſed a certain writ of *Certiorari* 'of ours, together with the return upon the 'ſaid writ made unto our well beloved and 'truſty Thomas Marſh, Eſq; clerk of our 'council in our Star-Chamber, directed,

'and in files of our Chancery remaining of
'record, in theſe words: *Elizabeth, by the*
'*Grace of God, Queen of England, France,*
'*and Ireland, Defender of the Faith, &c.*
'*to her well beloved and truſty Thomas Marſh,*
'*Eſq; clerk of our council in the Star-Cham-*
'*ber, greeting. We willing, for certain*
'*cauſes to be certified of, and upon a certain*
'*order and decree by us and our council, in*
'*our court of Star-Chamber aforeſaid, the*
'*7th day of May, in the 14th year of our*
'*reign, made to record or regiſter a certain*
'*arbitrement, or final determination, by Sir*
'*Chriſtopher Heydon, Knight, and Sir Wm.*
'*Butts, Knight, made the 16th day of April,*
'*in the 14th year of our reign, of, for, and*
'*concerning certain ſuits, quarrels, and con-*
'*troverſies, between the inhabitants of the*
'*town of Great Yarmouth, and the inhabi-*
'*tants of the town of Gorleſton, by virtue of*
'*our commiſſion unto the ſaid Sir Chriſtopher*
'*and William, to hear, and finally determine*
'*the cauſes, quarrels, and controverſies, be-*
'*tween the parties aforeſaid being directed.*
'*And we, willing to be certified of and upon*
'*the tenor of the ſame arbitrement, or final*
'*order or determination, by the aforeſaid Sir*
'*Chriſto-*

'*Chriſtopher and Sir William, made and ſet down by virtue of our commiſſion aforeſaid to them, as is aforeſaid directed, which order or decree, before us and our council in our court aforeſaid, together with the arbitrement and final order and determination aforeſaid, do remain of record, and be regiſtered as aforeſaid, do command, that the tenors of the order or deeree, and alſo of the arbitrement and final order and determination aforeſaid, unto us into our chancery, under our ſeal, diſtinctly and openly you do ſend, together with this our writ. Witneſs ourſelf at Weſtminſter, the 12th day of May, in the 14th year of our reign.*'

'*The execution of this writ doth appear in a certain ſchedule unto the ſame annexed.*

'MARSH.

'We have alſo ſeen and peruſed the certification of the aforeſaid Thomas Marſh, and alſo the aforeſaid order or decree, by us and by our council, in the court of Star-Chamber aforeſaid, to record or regiſter the aforeſaid arbitrement, or final order and determination, by the aforeſaid

'Sir Chriſtopher Heydon and Sir William 'Butts, Knights, by virtue of our commiſ- 'ſion aforeſaid to them directed, made, and 'unto us into our Chancery aforeſaid, by 'virtue of our writ aforeſaid, ſent, and in 'the files of our Chancery likewiſe remain- 'ing of record, in theſe words:

'*By virtue of the writ of our ſovereign 'Lady, the Queen's Majeſty, of* Certiorari, '*unto we Thomas Marſh, from your Majeſty's 'council of your Highneſs's Star-Chamber, 'directed; I the ſaid Thomas Marſh do cer- 'tify unto your Majeſty's honorable court of 'Chancery, that in ſearching the rolls and 'records of the aforeſaid court of Star-Cham- 'ber; amongſt other things there, I found the 'tenor of a certain order or decree, by your 'Majeſty and your council, in your ſaid court 'of Star-Chamber, the 7th day of May, in 'the 14th year of your Majeſty's reign, made 'to record and regiſter a certain arbitrement, 'or final order and determination of Sir Chriſt. 'Heydon and Sir Wm. Butts, Knights, the '16th day of April in the 14th year of your 'Majeſty's reign, of, for, and concerning ſuits, 'quarrels, and controverſies, between the in-*

'*habitants*

'*habitants of the town of Great Yarmouth,*
'*and the inhabitants of the town of Gorleſton,*
'*by virtue of your Majeſty's commiſſion unto*
'*the ſaid Sir Chriſtopher and Sir William*
'*directed, to hear, and finally determine the*
'*cauſes, quarrels, and controverſies aforeſaid,*
'*between the ſaid parties being made: And*
'*alſo the tenor of the ſame arbitrement, or*
'*final order and determination, by the afore-*
'*ſaid Sir Chriſtopher and Sir William, by vir-*
'*tue of your Highneſs's commiſſion aforeſaid,*
'*to them directed, made, and ordered; the*
'*which tenors aforeſaid, with all and ſingular*
'*the things touching or concerning the ſame,*
'*as I am commanded, together with your Ma-*
'*jeſty's writ of* Certiorari, *to thoſe precincts*
'*being annexed, into your Majeſty's court of*
'*Chancery aforeſaid, in obedient manner, I do*
'*ſend, in manner and form hereafter following;*
'*that is to ſay:*

'*Whereas, upon humble requeſt made unto*
'*this honorable court, the 1ſt day of Febru-*
'*ary laſt, the Queen's Majeſty's commiſſion was*
'*directed unto Sir Chriſtopher Heydon and*
'*Sir William Butts, Knights, whereby they*
'*were authorized to hear, and to end all*

'*mat-*

matters then in controverſy betwixt the inhabitants of the towns of Yarmouth and Gorleſton, this day the court was informed, that the ſaid commiſſioners had done accordingly, by the mutual conſents of both ſides; and the end and award which they had ſo made, was therewith ſhewed forth in writing, under their hands and ſeals, which award, for that it might bear the better credit at all times hereafter, humble requeſt was alſo made, to have entered and regiſtered of record here; unto which requeſt, as unto a thing ſeeming very reaſonable, the court then immediately conſented, and ordered that it ſhould ſo be, the tenor whereof followeth in theſe words; that is to ſay, Whereas lately a controverſy was depending in the high court of Star-Chamber, between diverſe of the inhabitants of Great Yarmouth, and diverſe of the inhabitants of Gorleſton, upon ſeveral riots growing upon diverſe liberties and prehemineneies challenged and claimed by the corporation of the ſaid town of Great Yarmouth, as well as touching or concerning the free fair holden at Great Yarmouth aforeſaid, as alſo touching a parcel of waſte ground lying next to the

town

'town of Gorleſton, and ſome time between the 'old courſe of the haven, leading under the 'great ſea-bank of Gorleſton and the main ſea, 'which waſte ground is now, by reaſon that 'the haven hath a ſhorter neck or paſſage into 'the ſea, left between the main ſea and the ſaid 'great bank, and directly ſouth from the place 'where now the haven entereth into the main ſea, 'made at the great coſts and charges of the ſaid town 'of Great Yarmouth- And for that Sir Henry 'Jernegam, Knight, is the Owner not only of the 'ſaid town of Gorleſton, but alſo of the greateſt part 'of Lothingland, within which the ſaid town of Gor-'leſton is ſtanding, the ſaid controverſies on the be-'half of Gorleſton, do chiefly concern the inheritance 'of the ſaid Sir Henry. All which controverſies be-'ing conſidered by the ſaid high court, were, as it 'thought fit, upon ſome indifferent view to be made 'of the places of the controverſies, together with the 'ſight of the evidences, and charters, and writings on 'each part, and upon hearing of the witneſſes, at the 'places in controverſy, to be decided and ended. And 'thereupon the ſaid court of the Star-Chamber, have 'made choice of us, Sir Chriſtopher Heydon and Sir 'Wm. Butts, Knights, being both inhabitants within 'the county of Norfolk, wherein the ſaid town of 'Great Yarmouth ſtandeth, to take the charge of this 'buſineſs upon us; and accordingly have authorized 'us, by virtue of the Queen's Majeſty's honorable 'commiſſion, bearing date the 11th day of February,

'in

in this present 14th year of her highness's reign, at a day certain, personally to be at the said places of controversy, giving notice of the day and time to all and singular the said parties, and then and there, by all ways and means convenient to travel, to the best of our power, to compound not only the said controversies before remembered in part, but all other depending between the said parties. By virtue whereof, we, the said Sir Christ. Heydon and Sir Wm. Butts, the 9th day of April last past, did meet at Great Yarmouth aforesaid, where and when, as well the said Sir Henry Jernegam, in proper person, as also the bailiffs and commonalty of the said town of Great Yarmouth, together with the chiefest of the said town of Gorleston, with their council learned on each part, and as many witnesses as they thought meet, on either side, came before us, where, as well by view of the places needful, as also by examination of their witnesses, on both parties, and sight of their ancient charters, evidences, and writings, with long debate with their learned council, we spent two whole days, and in the end, we, by the free and willing consent of every of the said parties, arbitrated, and determined, all their controversies then offered before us, according to the plain intent hereafter in certain articles set down, and hereafter written, wherein, if any ambiguity or doubt shall hereafter arise, during our lives, or the longer liver of us, the said parties are well contented and pleased, that we, or the survivor of us, shall

have

'*have the conſtruction and explanation thereof; where-*
'*unto the ſaid parties, for their heirs and ſucceſſors,*
'*have promiſed perpetually to abide and obey.*

ARTICLE I.

'*Imprimis,* We the ſaid Sir Chriſtopher
'Heydon and Sir William Butts, agreed to
'have certain ſtakes or dooles ſet, which
'we did ſee ſet accordingly, in the place in
'controverſy, nigh the haven of Great Yar-
'mouth, as it now is, and ordered, from
'henceforth, that the ſouth part thereof
'ſhall be to Sir Henry Jernegam, Knight,
'and to his heirs for ever; and the north
'part unto the town of Great Yarmouth in
'perpetuity. Provided always, that if the
'haven ſhall win, or run in its former paſ-
'ſage, and leave the ſame waſte ſoil be-
'tween the haven and the ſea, then this ar-
'ticle to bind no longer any of the parties.

II.

'*Item,* That Gorleſton, and the inhabi-
'tants thereof, by whatſoever name they
'are, and ſhall be called, whenſoever they
'fiſh, ſhall and may as lawfully ſell and
'diſ-

'discharge their fish, out of their own bot-
'toms, at their pleasure, and where they
'will, as heretofore they have used, so as
'their order extend not to any stranger not
'inhabiting there.

III.

'*Item*, That whensoever there shall hap-
'pen any boat to be fastened on Gorleston
'side, so that the same do not float to the
'nuisance of the haven, or else drawn upon
'land on that side, that no bailiff or other
'officer of Yarmouth, shall from henceforth
'any ways arrest, attach, or take the same
'boat, during the time that the same re-
'main so fastened or drawn up. Provided
'that this article, or any part thereof, shall
'not extend to the imbarring of the admi-
'ral-jurisdiction, or any parcel of the same.

IV.

'*Item*, That all manner of suits now de-
'pending between the town of Great Yar-
'mouth and Sir Henry Jernegam, or between
'the same town and the town of Gorleston,
'shall cease utterly.

V. *Item*,

V.

'*Item*, That during ſuch time as the 'bridge, called *Yarmouth bridge*, ſhall hap-'pen to be in decay, whereby it ſhall be 'needful to uſe ferriage for people over 'the water, that then, and ſo long until 'the bridge be renewed, it ſhall be law-'ful for Sir Henry Jernegam, and his heirs, 'to uſe and take the profit of the ferri-'age for all perſons coming towards Yar-'mouth, and likewiſe the town of Great 'Yarmouth to have like commodity of fer-'riage for all that ſhall paſs over the water 'at Yarmouth. And that for the want of 'boats, on either part, the one to ſupply, 'in the want or abſence of the other, on 'either ſide.

VI.

'*Item*, Sir Henry, and his heirs, ſhall en-'joy their *foot-ferry* over againſt Gorleſton, 'for ever, as hath been uſed, and now is.

'[*N. B. This has continued to the preſent* '*time.*]

VII. *Item*,

VII.

'*Item*, At our requeſt, Sir Henry is agreed 'that the town of Yarmouth ſhall from 'henceforth maintain their gate at the foot 'of the bridge, as is alſo now.

VIII.

'*Item*, We further require at the hands 'of the townſhip of Yarmouth, in the time 'of the fiſhing, or ſea-fare, to demean all 'ſtrangers and their boats, with ſuch rea-'ſonable conſideration and curteſy, as nei-'ther they, nor yet the country that require 'to be ſerved, ſhall have any further juſt 'cauſe to complain.

IX.

'If any queſtion ſhall hereafter ariſe, 'touching any articles or things contained 'in this our order, that then, and ſo often 'we, during our lives, ſhall have the con-'ſtruction thereof, becauſe the meaning of 'our own order is to us beſt known.

'Alſo

X.

'Alſo the inhabitants of Yarmouth deſire that this our order ſhall not be expounded to forbid them freely, and without impeachment, to take their own boats and veſſels, which hereafter ſhall happen, by rage of weather and tides, to be driven on land on the other ſide of the haven, which requeſt we think meet to be ordered, according to their motion, as heretofore it hath been uſed.

XI.

'*Item*, It is ordered that the inhabitants of Yarmouth ſhall put no cattle upon the ground now doled out, unleſs it be ſevered and made fenceable; neither ſhall they interrupt the cattle of Sir Henry, or of his tenants, coming thereupon, before ſeverance and fence be made.

XII.

'*Item*, That all the tenants of Sir Henry and his heirs, in Lothingland, ſhall be free from all charge to the town of Yarmouth,

'if their boats or veſſels happen to ground 'within the haven, and within the lands 'doled, and ſet out for the town of Great 'Yarmouth; and likewiſe all Yarmouth 'boats and veſſels to be as free, if they hap-'pen to ground without the liberties of the 'town and without the ground doled for 'them, between the town and Newton-'Croſs.

'*In witneſs whereof, we, the ſaid Sir Chriſtopher 'Heydon, and Sir William Butts, have hereunto ſet 'our hands and ſeals, the 16th day of the ſaid month 'of April, in the ſaid 14th year of the reign of our 'ſovereign Lady Elizabeth, by the grace of God, of 'England, France, and Ireland, defender of the faith, '&c. Queen.*'

'We, therefore, the tenors of all and ſin-'gular the premiſes, in form aforeſaid ex-'preſſed and ſpecified, at the requeſt of the 'bailiffs and commonalty of the town of 'Great Yarmouth, have thought good to 'cauſe to be exemplified by theſe preſents. 'In witneſs whereof, theſe our letters we 'have cauſed to be made patent. Witneſs 'ourſelf at Weſtminſter, the 19th day of 'May, in the 14th year of our reign.'

Thus

Thus this controverſy, which might have been carried thro' all the tedious proceſſes of their diſputes with the earl of Richmond and his tenants, was judiciouſly referred to two worthy knights, whoſe award, in a few plain articles, was more concluſive and ſatisfactory to both parties, than perhaps all the determinations of all the courts of juſtice they might have appealed to.

Notwithſtanding this, about 6 years after, in the 21ſt of Elizabeth, when that queen was at Norwich, upon a tour, an old diſpute having been revived concerning the ſale of "fiſh and other merchandizes at the town of Gorleſton," the burgeſſes obtained a letter addreſſed to the ſheriff and juſtices of Suffolk, from her majeſty's privy council, ſome of whom had viewed the premiſes, forbidding "ſuch fair, market, buying, ſelling, &c." Upon which the men of Gorleſton, Loweſtoft, Alborough, &c. petitioned for a repeal of that prohibition, which occaſioned the burgeſſes again to produce their charters, &c. in their juſtification: and a decree was made by the lords of the privy council, 'that the 'ſaide towne of Greate Yermouthe, and the 'bailiffs, burgeſſes, and cominaltye thereof, 'ſhall ſtande poſſeſſed of, and quietlie holde,

'if their boats or veſſels happen to ground 'within the haven, and within the lands 'doled, and ſet out for the town of Great 'Yarmouth; and likewiſe all Yarmouth 'boats and veſſels to be as free, if they hap- 'pen to ground without the liberties of the 'town and without the ground doled for 'them, between the town and Newton- 'Croſs.

'*In witneſs whereof, we, the ſaid Sir Chriſtopher 'Heydon, and Sir William Butts, have hereunto ſet 'our hands and ſeals, the 16th day of the ſaid month 'of April, in the ſaid 14th year of the reign of our 'ſovereign Lady Elizabeth, by the grace of God, of 'England, France, and Ireland, defender of the faith, '&c. Queen.*'

'We, therefore, the tenors of all and ſin- 'gular the premiſes, in form aforeſaid ex- 'preſſed and ſpecified, at the requeſt of the 'bailiffs and commonalty of the town of 'Great Yarmouth, have thought good to 'cauſe to be exemplified by theſe preſents. 'In witneſs whereof, theſe our letters we 'have cauſed to be made patent. Witneſs 'ourſelf at Weſtminſter, the 19th day of 'May, in the 14th year of our reign.'

Thus

Thus this controverſy, which might have been carried thro' all the tedious proceſſes of their diſputes with the earl of Richmond and his tenants, was judiciouſly referred to two worthy knights, whoſe award, in a few plain articles, was more concluſive and ſatisfactory to both parties, than perhaps all the determinations of all the courts of juſtice they might have appealed to.

Notwithſtanding this, about 6 years after, in the 21ſt of Elizabeth, when that queen was at Norwich, upon a tour, an old diſpute having been revived concerning the ſale of "fiſh and other merchandizes at the town of Gorleſton," the burgeſſes obtained a letter addreſſed to the ſheriff and juſtices of Suffolk, from her majeſty's privy council, ſome of whom had viewed the premiſes, forbidding "ſuch fair, market, buying, ſelling, &c." Upon which the men of Gorleſton, Loweſtoft, Alborough, &c. petitioned for a repeal of that prohibition, which occaſioned the burgeſſes again to produce their charters, &c. in their juſtification: and a decree was made by the lords of the privy council, 'that the 'ſaide towne of Greate Yermouthe, and the 'bailiffs, burgeſſes, and cominaltye thereof, 'ſhall ſtande poſſeſſed of, and quietlie holde,

'and enjoye the ſaide libertye by them 'cleymed, &c." dated the 24th of Februa-'ry, in the 21ſt of Elizabeth, 1578.

In 1616 the bailiffs petitioned for an extenſion of their privileges to the weſt ſide of the haven, but we do not meet with any inſtance of their power there, till the 20th of Charles II. when South-Town was incorporated with Great Yarmouth. This was in conſequence of a bill brought into the houſe of commons by Sir Robert Paſton, Knight, on behalf of himſelf and the men of South-Town, or Little Yarmouth, in the 16th of that king, but from the oppoſition of Great Yarmouth, the incorporation act did not take place till the 20th of that king, when the burgeſſes thought proper to make a virtue of neceſſity, as the bill had been already paſſed three years, and ſettled the terms of their incorporation, with Sir Robert Paſton, when the two towns were accordingly incorporated. And in the 36th of that king a new charter, confirming the ſaid incorporation, with an addition of privilege, was granted to Great Yarmouth; which being further ſtrengthened by a charter afterwards from Queen Anne, the ſaid town remains incorporated to this day.

But

But this union, had Sir Robert's ſcheme ſucceeded, would have proved the heavieſt ſtroke the town ever received from any competitor; for as ſoon as Little Yarmouth, or South-Town, was entitled to the ſame privileges with Great Yarmouth, Sir Robert had printed propoſals diſperſed through the kingdom, for building a new town on the weſt ſide of the haven, and had cauſed maps and plans of the intended town to be made, with models of the houſes intended to be built. In theſe propoſals, Sir Robert expatiated largely on the conveniences of the ſituation, the advantages that were likely to be gained by the inhabitants, ſuperior to thoſe of Yarmouth, having the ſame privileges, without the inconveniences of that town.

Yet all this diſplay of probable emolument, and apparent convenience, does not ſeem to have had any other effect than the diſappointment of Sir Robert's hopes, and the diſconcerting of his plan; for, whether the public had entertained an unfavourable idea of the ſituation, from the frequent quarrels of the two towns, or whether the advantages ſet forth in Sir Robert's propoſals

were viewed in a visionary light, it does not appear that any houses were built; so that Little Yarmouth is in much the same situation at present as it was at that time.

In the same year, (the 36th of Charles II.) the burgesses, at an assembly held the 21st of March, came to a resolution of formally surrendering to that king, all their charters, freedoms, liberties, and franchises, as a ratification of their professions of loyalty to him, and to wipe off the stain of their attachment to the parliament, which we have before had occasion to mention. This, however, was not done, without "the tender of their most humble duty to his Majesty, and assurance of their stedfast resolution to serve his Majesty with their lives and fortunes, *humbly praying his Majesty, that he would vouchsafe to regrant them such liberties, privileges, and franchises, as to him in his princely goodness should seem most fit.*"

This surrender had the desired effect; and a new charter, again incorporating Great and Little Yarmouth, confirming their old privileges, and investing them with new ones, was accordingly granted; by which the stile of the corporation was changed from bailiffs,

bailiffs, &c. to that of the mayor, aldermen, burgeſſes, and commonalty of the burgh of Great Yarmouth.

The obtaining of this charter was looked upon (as very well it might) in ſo important a light, that the day on which it was to be brought into the town, a grand cavalcade of three or four hundred horſemen, beſides a number of coaches, and people on foot, met it on the road, and accompanied it into town, where it was delivered to the mayor elect, George Ward, Eſq; amidſt the acclamations of the inhabitants; when, after duly ſwearing in all the officers, &c. of the corporation, the whole company partook of a magnificent entertainment provided by the new mayor, where many loyal healths were drunk, accompanied by the ringing of bells, firing of guns, bonfires, muſic, &c. the whole of which was conducted and concluded with becoming decency and decorum.

This form of government, however, did not remain long to them; for King James II. in his 4th year, revoked their new charter, and put them, with all other towns in England, upon the ſame footing they were on in the reign of Charles II. before their

ſurrender; but the incorporation of Great and Little Yarmouth ſtill remained, which being confirmed by another charter from Queen Anne, and the title of mayor, aldermen, &c. being again reſtored, the ſame has continued ever ſince.

Hence a period was put to their numerous diſputes and contentions; for as theſe chiefly originated from a deſire of ſuperiority, and a jealouſy of each other's privileges and prerogatives, their liberties and franchiſes no ſooner became common, than quarrels and controverſies gave place to peace and unanimity.

But theſe conteſts we have been treating of, were not the only ones the town was engaged in. Caſtor, in Flegg hundred, was frequently an object of their contention, and embroiled them in litigious diſputes.

The origin of theſe ſeems to have been *Grub's Haven*, or *Cockle-Water*, which had been a haven in Edward the Confeſſor's time, and was then eſteemed the boundary between Yarmouth and Caſtor; but afterwards it was choaked up with ſand and gravel, rendered unnavigable, and became at laſt paſture land. In proceſs of time, ſcarce

any

any veſtiges of this haven being left, many diſputes aroſe, in either town, concerning the aſcertaining their true boundaries.

In the 28th of Edward I. many inhabitants of Yarmouth were attached to ſhew cauſe, why they had taken away goods and chattels, found at Caſtor, to the value of 40*l.* belonging to Hugh Bardolf, then lord of one of the manors of Caſtor, and others at Caſtor; and though the iſſue of this ſuit does not appear, yet it is preſumed, from ſeveral circumſtances, that Yarmouth obtained a verdict, and that this determination reconciled, for a time, all ſimilar diſputes.

But in the time of Richard II we find ſeveral amercements of the men of Caſtor, for driving off Yarmouth common, and impounding at Caſtor, ſeveral beaſts, &c. And in the 12th of that King, it appears that 'Godfrey Harvy and John Berd, of Caſtor, 'have found a piece of wax, worth ten 'marks, within the liberty, caſt aſhore by 'the ſea, as wreck, and carried it with them 'out of the liberty, to the town of Caſtor, 'and not delivered it to the bailiffs, &c.' Upon which the finders were held to bail, and a ſuit commenced; but how it was determined does not appear.

Several

Several ſimilar conteſts happened in the reigns of Henry IV. and Henry VIII. on which Mr. Manſhip ſays, 'Many ſuits, and 'troubles, were moved by either party in 'the vehementeſt manner that might be, 'each chacing and impounding the other's 'cattle, as extremities of law would permit 'them; Yarmouth not ſparing the very 'bailiffs themſelves, if at any time they were 'remiſs in maintaining their liberties.' And indeed we find the bailiffs have been amerced, for not making their annual perambulations, in order to commemorate, by marks, &c. the true limits of the town, by land and water. This neceſſary memento, however, had been ſo long neglected, that in the 15th of Henry VIII. the inhabitants of Caſtor, (at the inſtance of Sir William Paſton, then lord of both the manors) were emboldened to enter and take poſſeſſion of this diſputable piece of ground, containing about 400 acres, ſituated between Grub's Haven on the north ſide, and the ſtone croſs on the ſouth. This they did on the 20th of January; and on the 27th of the next month, thirty or forty people came and carried off from the ſame ground, ſeveral pieces of ord-

ordnance, which were wrecked at ſea; a privilege which Yarmouth had before claimed and enjoyed. Other inſtances of this nature occur, the determinations of which diſputes do not appear, both parties continuing equally firm in the ſupport of their ſeparate claims, till the 36th of that king, when the burgeſſes made application to the duke of Norfolk, then on a commiſſion to ſurvey the fortifications of Yarmouth, who promiſed his interceſſion with the King, that this point might be ſettled. Accordingly, a commiſſion was ordered, the next year, the reſult of which was, a tripartite indenture, dated the 30th of April, in the 38th year of the ſaid king, by which it was concluded, That the boundaries of the two towns ſhould be aſcertained by rails and a ditch, to be made twelve feet wide, in the middle between the croſs and Grub's Haven; for which purpoſe, two men of Yarmouth, and two of Caſtor, were to extend a line from one to the other; and that Yarmouth ſhould maintain the eaſt, and Caſtor the weſt part, for ever. This work the burgeſſes began on the 12th of May in the ſame year, and compleated it in eight days, when a croſs was dug on the common

common, on either ſide of the fence, which croſſes were to be kept open, as marks of their ſeparate boundaries, and actually continued till the making the preſent road between Yarmouth and Caſtor, in 1712.

Thus this diſagreeable controverſy was decided equitably, and to the mutual ſatisfaction of both parties, who were now no longer liable to violent outrages and vexatious litigations, in order to determine what was and was not their property, their limits being now fixed beyond diſpute; and that they might not find a bone of contention in the boundary itſelf, the decree ordains the ditch to be kept in repair by Sir William Paſton, the rails by the burgeſſes.

Beſides theſe diſputes we have been treating of, it appears that in the 12th of Henry VI. the burgeſſes were engaged in a conteſt with the citizens of Norwich, concerning a demand of cranage from the ſaid citizens, on the exporting and importing their goods, which they refuſed to pay, and thereupon brought a writ out of Chancery, alledging the illegality of the demand; upon which a return was made to the diſadvantage of the citizens. But tho' they failed in their principal

cipal object, they obtained a verdict againſt the burgeſſes with reſpect to a new crane they had then erected, and obliged them to remove it to a more convenient place.

It may not be improper to cloſe this chapter with an obſervation on the cauſe and origin of many of theſe controverſies, which ſeem to have owed their riſe to the many grants and indulgencies claimed by individuals and communities on ſeveral accounts. The tenants of lands held in demean of the crown, claimed a general exemption, and of courſe refuſed to pay the tolls demanded here for their goods, exported or imported. Another cauſe of contention aroſe from privileges and franchiſes granted to different communities, by charters of later date than that of king John, with which they very frequently claſhed; as it often happened that the liberties granted by one charter, to one community, were incompatible with, and contradicted thoſe of another charter, claimed by another community. And here priority of date does not always ſeem to have been regarded by the parties concerned, who were generally ſo attached to the letter of their grants, that there appeared no other probable

probable means of settling their disputes, than by referring them to others, and deciding them by arbitration.

CHAP. V.

Of the Magistrates and Government of Great Yarmouth.

HAVING in the first chapter endeavoured to convey some idea of the origin and ancient situation of Yarmouth, in which some account of the havens was necessarily introduced, we have been ordinarily impelled to treat more at large on that subject, in the succeeding chapters. We shall, therefore, in this, recur back to that period from which we set out, and endeavor to trace the *government* of the town, from its first formation down to its present state.

To do this we must recall to mind what has been before insinuated, that the site of Great Yarmouth was originally a sand in the sea; that some time before the landing of Cerdick

Cerdick, in the year 495, it began by degrees to lift its head above water, and was at length out of the reach of the tides.

At this time the fiſhermen of the Cinque-Ports, who were the principal fiſhermen of the kingdom, reſorted hither, with others from France, Flanders, and the Netherlands, annually, from about Michaelmas to Martinmas, in order to catch herrings, with which the ſea at that ſeaſon generally abounds. The inducements for their making uſe of this particular ſpot were many. It was a place newly emerged, as it were, from the ſea; and as nobody thought it worth claiming, it was conſequently unoccupied; finding it, therefore, ſo convenient a ſituation both for the landing and preparing the fiſh, the drying of their nets, and the enjoying of a temporary reſidence, they erected booths or tents to ſuit their preſent occaſions, in defending them from the weather, and expoſing their fiſh to ſale; whither they were ſoon reſorted to by the merchants of London, Norwich, and other places, and as ſoon as their buſineſs was done, they ſtruck their tents and returned to their ſeveral habitations. But finding it at length a place very commodious for a longer reſidence

then

then the fishing season required, they began to form themselves into societies, and to build houses, which, in process of time, increasing in number, and being formed into regular streets, acquired a respectable aspect, and grew into a flourishing town. Here, then, we are to look for the origin of the government of Yarmouth.

As the herring fishery had drawn hither such numbers of natives and foreigners, for the purposes of catching and selling of fish, as well as others who came to purchase, and all limited, by the nature of things, to about six weeks time, it may naturally be supposed the concourse of people must have been considerable. Such a mixed multitude, too, could not be supposed to preserve any order or regularity, without some chief, or superintendant, nor would it have been prudent to have made the experiment. The barons of the Cinque ports, therefore, wisely considering these circumstances, deputed several officers, called *bailiffs*, to superintend and govern this fair or mart, from Michaelmas to Martinmas day. In these bailiffs, then, we are to view the first magistrates, and thence derive the idea of the first mode of government of Yarmouth.

The

The precise time of these commissioned officers being first sent to their temporary government, does not appear; but it is generally believed to have been long before the Conquest: for it is certain, that, as soon as the fishery was so firmly established, and the situation found to be so convenient for its several purposes, as to induce them to build houses, an association was immediately formed, for their mutual defence and support, and a *burgh* founded, in consequence, agreeable to the custom of those days. This burgh was at first governed by *Reves*, then by *Provosts*, elected by the king, afterwards by *Bailiffs*, and at last by *Mayors*, as at present; and was so increased at the grand survey of the Conqueror, that it appears then to have contained 70 burgesses, as we have before observed in Chap. I.

Hence it is evident that the inhabitants of the Cinque Ports were the principal founders and first magistrates of Yarmouth; and it appears that they continued their prerogative, during the annual Free Fair, long after the founding of the burgh, their bailiffs being admitted into court, to hear and determine causes, in conjunction with the magistrates of Yarmouth.

The reaſon of their founding a burgh here, ſeems to have been this. the ſituation they had made choice of, tho' convenient for the purpoſes of trade, was too much expoſed to the depredations of pirates and other free-booters, to admit of certain ſecurity of their property, without ſome kind of fortification or defence, which the word *burgh*, according to Sir Henry Spelman, ſeems to imply; for he ſays, *Nuſquam occurrit appellatio* BURGI, *nihil innuens antiqui muniminis*, &c. 'Whenever the term *burgh* occurs, it ſignifies an ancient fortreſs; ſuch as a city, caſtle, tower, trench, or rampire; but moſt commonly, as we apprehend it, a caſtle, town or city.' And it is moſt probable that Yarmouth was at firſt fortified with a trench, perhaps with a wall, as the old wall is frequently mentioned at the building of the new one, and is ſaid to have furniſhed part of the materials of the new wall.

The firſt buildings are ſuppoſed to have been on or near a place called Fuller's Hill, ſo called from one Fuller, as is reported, who was principally concerned in founding them. Theſe buildings afterwards extended northerly, for the convenience of being near

the

he north haven, then their principal haven, which ſeems to account for Biſhop Herbert's aving built the chapel ſo far north of the reſent town, then probably the moſt popuous part; as Sir Henry Spelman ſays, *Caellam in hâc arenâ condidit, pro ſalute aniarum illic appellentium*; "he built a chapel "on this ſand, for the ſalvation of ſouls ar"riving there." But about the Conqueſt, he ſouthern channel becoming the princial, the town began to ſtretch to the ſouth, nd the northern buildings were deſerted, nd fell into decay. Biſhop Herbert then, eing enjoined to build a church here, and onſidering the eaſe and advantage of the nhabitants, founded one near Fuller's Hill, which he dedicated to St. Nicholas, the paron of fiſhermen; *eccleſiam perilluſtrem* (ſays ir Henry) *S. Nicolao dicatam, piſcatorum ero ditatam oblationibus et dotatam*; i. e. "A very famous church, dedicated to St. "Nicholas, enriched and endowed with the "offerings of the fiſhermen."

However, the north channel being at laſt ntirely ſtopped up, the inhabitants kept uilding ſo faſt to the ſouth, that had not he town been walled in, when they thought

proper juſt to include the church, it is more than probable that St. Nicholas's church had been left ſtanding alone, as well as the chapel. But to return to the magiſtrates.

We have before mentioned the government of Yarmouth by *Reves*, who ſeem to have been only a kind of vice-governors; for it appears that the kings of England had uſually granted this burgh to ſome earl, who conſtantly deputed a *Reve*, or *Portreve*, to collect the cuſtoms, determine controverſies, and adminiſter juſtice to the burgeſſes, agreeable to the cuſtom of ancient burghs. But theſe reves, from the nature of their office, had but limited prerogatives in compariſon of the officers appointed immediately by the king. The firſt of theſe that we meet with, is in the 9th of Henry I. when, on account of the vaſt increaſe of the inhabitants, in fiſhermen, merchants, and traders, as well from Flanders and Normandy, as from many parts of this kingdom, that king was pleaſed to make a formal appointment of a proper magiſtrate, to reſide in and govern the town, by the title of *Præpoſitus*, as they termed him in Latin; *Le Provoſt*, according to the Norman dialect,

leſt, at that time much uſed; and called at preſent, from the latter language, *The Provoſt.*

The office, and probably the reſidence, of this magiſtrate, was in or near the Conge, which at that time was the principal place of trade, and ſo continued as long as Grub's Haven was navigable to the ſea. And the key oppoſite to the Conge, ſometimes called the King's Conge, was denominated the Lord's Conge, which title it firſt acquired when the burgh was under the earl, and retained it for many centuries after.

This mode of government continued for a hundred years, when King John, amongſt other towns incorporated by him, granted the burgeſſes a charter, in his 9th year, (as has been already obſerved) by which this was created a free burgh, and many liberties and immunities inveſted in the burgeſſes, who were to hold the town in fee-farm for ever, paying to him and his heirs an annual rent of 55*l.* which they were to raiſe by the cuſtoms ariſing out of the port, and not by any goods ſold on ſhore, in their market, as appears by the ſubjoined tranſlation of the charter; the original of which (in Latin) is

ſtill carefully preſerved in the Guildhall, and is for the moſt part yet legible.

King JOHN's *Charter.*

'JOHN, by the grace of God, King of 'England, Lord of Ireland, Duke of 'Normandy and Aquitain, and Earl of An-'jou, to the archbiſhops, biſhops, abbots, 'priors, earls, barons, juſtices, ſheriffs, pro-'voſts, and to all bailiffs, and other his 'faithful ſubjects, greeting. Know ye that 'we* have granted, and by our preſent char-'ter confirmed, to our burgeſſes of Yar-'mouth, that they hold the burgh of Yar-'mouth in fee-farm for ever, and that the 'burgh be a free burgh for ever; and have '*ſoc* and *ſac*†, *tol* and *theam*, and *infangen-'thief* and *outfangenthief*. And that the 'ſame burgeſſes thro' our whole land, and 'thro' all the ſea-ports, be quit of *toll*, *laſt-*

'*age*,

* It is obſervable that King John was the firſt of our Kings that uſed the plural number in his grants, for the ſingular, which has continued ever ſince

† For an explanation of theſe, and ſome other antique terms to be met with in this hiſtory, ſee the *Gloſſary*.

'*age*, *paſſage*, *paage*, *pontage*, and of *leve*, 'and of *Danegeld*, and every other cuſtom, 'ſaving the liberty of the city of London; 'and that they do no ſuit of counties or 'hundreds for tenures, within the burgh of 'Yarmouth.

'We have alſo granted to the ſame bur-'geſſes, and by this our charter have con-'firmed, that none of them plead out of the 'burgh of Yarmouth, in any plea, except 'the pleas of outward tenures. § We have 'alſo granted to them acquittance of mur-'der ‡ within the burgh of Yarmouth; and 'that none of them ſhall *fight the combat*. 'And that they may try the pleas of the 'crown amongſt themſelves, according to 'the law and cuſtom of Oxford. And that 'within the burgh aforeſaid, none ſhall take

§ That is, no burgeſs ſhould be forced to anſwer to any action concerning lands or tenements holden by him in Yarmouth, or to any perſonal action ariſing in the ſaid burgh, but in the court of Yarmouth only; except in *outward tenures*; i. e. tenures holden by any burgeſs out of the precincts of Yarmouth; in which caſe he was to anſwer to them in the county or place where ſuch tenures were ſituated.

‡ That is, they ſhould be quit of the pecuniary conſequences of eſcaping after murder; ſuch as fines and amerciaments.

'quarters by force, ††. or by aſſignment of
'the marſhals. And that in that burgh
'there ſhall be no plea *of miſkenning*; and
'that be holden but once a week. We
'have alſo granted to them a *merchant guild*;
'and that they ſhall juſtly have their lands
'and tenures, their ſecurities, and all their
'debts. which any one ſhall owe them.
'And concerning their lands and tenures,
'which are within the burgh aforeſaid, ac-
'cording to the law and cuſtom of the
'burgh of Oxford: and concerning all their
'debts, which ſhall be contracted at Yar-
'mouth, and ſecurities made there, the
'pleas ſhall be held at Yarmouth. And
'if any one in all England, ſhall take tolls
'or cuſtom from the burgeſſes of Yarmouth,
'except, as above, the ſaid city of London,
'and afterwards that perſon ſhall fail to al-
'ſert his right, the provoſt of Yarmouth
'ſhall take out the writ of *Naam* at Yar-
'mouth.

'Moreover, for the amendment of the
'ſaid burgh of Yarmouth, we have grant-
ed,

†† That is, no purveyor of the king ſhould forcibly take any thing for his uſe out of this burgh, a cuſtom frequently practiſed in other places.

'ed, that whatever merchants ſhall come to 'the burgh of Yarmouth with their wares, 'of whatever place they ſhall be, whether 'foreigners* or others, who are at peace 'with us, or by our permiſſion ſhall come 'into our land, they may come, ſtay, and 'depart in our ſafe peace, on paying the 'right cuſtoms of that burgh. We alſo 'prohibit that no one injure, or damage, or 'moleſt the aforeſaid burgeſſes, upon for-'feiture of ten pounds.

'Wherefore we will and ſtrictly com-'mand, that the aforeſaid burgeſſes of Yar-'mouth, and their heirs, have and hold for 'ever all the franchiſes aforeſaid, hereditа-'rily, truly, and peaceably, freely, quietly, 'and wholly, fully and honorably, on pay-'ing thereout annually fifty and five pounds 'by tale, by the hand of the provoſt of Yar-'mouth, into our exchequer, at the term of 'St. Michaels,

'And the burgeſſes of Yarmouth ſhall 'yearly chuſe ſuch provoſts out of them-'ſelves,

* It appears, by ſome antient ſtatutes, that foreign merchants were only ſuffered to come into this kingdom during the time of a public fair, and then the time of their remaining here was limited to 40 days.

'ſelves † as ſhall be agreeable to us and 'them.

'Witneſs, *Lord Peter of Wincheſter, Lord 'John of Norwich, Lord S. of Salisbury,* 'biſhops; *J. Fitz Peter; William Mar-'ſhal, earl of Pembroke; William,* our bro-'ther, *earl of Saliſbury; William earl of Fer-'rars; Peter Fitz-Herbert, W. Brewer, 'Hugh de Nevill, Adam de Port, Garin Fitz-'Gerald, William de Cantilupe, John de Baſ-'ſing, Jeffrey Lutterell, Thomas Fitz-Adam.* 'Dated by the hand of *H. de Wells,* arch-'deacon of Wells, at Marleborough, the '18th day of March, in the ninth year of 'our reign."

By this charter it is obſervable that the town was ſtill to be governed by a provoſt, and ſo probably continued till the reign of Henry III. in whoſe 56th year we find the burgeſſes laid before that king, under their common

† Tho' the burgeſſes are hereby permitted to chuſe their own magiſtrate, the principal advantage to them ſeems to be the power of electing one of their own body, (which was not always the caſe when they were appointed by the king) for there appears to be a reſervation in *idonei nobis*, "agreeable to us" which is ſomewhat equivocal.

common ſeal, a ſet of articles, or bye laws, by which they ſolicited to be governed, and which he confirmed, by his letters patent, dated the 26th day of October, in the ſaid year.

By theſe articles they were to elect for their firſt magiſtrates, *four wiſe men* of the town; or, in other words, *four bailiffs*, as appears by the 6th article; tho' it is certain they had been governed by four bailiffs, before the ſaid year, as will be ſeen in the liſt of bailiffs.

'It is ordained, that all the merchants of 'the town ſhall well and truly pay for the 'merchandizes, according to their bargain 'and covenant made in the buying, if the 'merchandizes be found true and good; 'and if they be found otherwiſe, that then 'it be ruled and warded by *four wiſe men* of 'the town, *choſen by the town*, that can 'ſkill of the merchandizes, and if the buyer 'will not ſo, and complaint thereof be made 'unto the *bailiffs, then wiſe men of the town*, 'they ſhall juſtify and compel him, by his 'goods and chattels, to do that thing; and

if

'if he agree not within three days next after, that then his aforetaid goods be sold, 'by sight of the *wise men*, to content the 'party, and if his goods will not suffice to 'content the party, that then his lands, 'rents, and housing shall be delivered into 'the hand of the merchant, by estimation of 'good folk, untill the time that the remnant of the debt be fully contented and 'paid, saving unto the chief lords of the 'fee, the rents thereof due and accustomed, 'and saving also the reparation of the said 'houses.'

These four wise men, or bailiffs, were to be assisted by *twenty four jurats*, (called afterwards *aldermen*) as is set forth in the 8th of the said articles.

'To inforce and strengthen our bailiffs to 'sustain and perform the articles aforesaid, 'we have purveyed *twenty four wise men* of 'the town, so that being chosen and sworn, 'in this form, that none of the *twenty four* 'do surcease the summons of the bailiffs, 'or of other that be assigned by the twenty 'four to make their appearance, under pain

'to

'to pay for every default half a mark, to 'the common profit of the town, and that 'money shall be levied on the next morrow 'following, without any delay, or without 'any manner of pardon. And if the bailiffs 'of the town fail therein, or be negligent to 'perform the said things, they shall pay to 'the common profit of the town four pounds 'sterling. and if the said *twenty-four* do not 'maintain strictly the peace, according to 'their power, or do not lawfully perform 'the said articles, and thereof they be at-'tainted, they shall give unto the king forty 'marks. And if there be any evil-doer, or 'sustainer of them that have done, that will 'not be justified by the said jurats, and 'thereof be attainted, he shall give to the 'king forty marks, if he have thereof, and if 'he have not, he shall lye in prison a year 'and a day.'

Hence we may form some idea of the origin of these officers, the nature of their office, and the fines for neglect of their duty.

The jurats, or aldermen, were annually chosen by the commonalty, and the bailiffs were

were elected by the jurats. The 6th article, above quoted, says "choſen by the town," which means no other than the jurats, who were indeed *the town*, by delegation and repreſentation, which is alſo confirmed by an ordinance of the corporation, made in the 10th year of Richard II. in which it is ſaid, 'Wee have choſen 24 men, * * * * ſworne 'to ſuſteyne, doo, and performe all the ſeid 'articles, and all thyngs conteined in the 'ſeid charter, (of Henry III. above-menti-'oned) and for to ordeigne and make all 'other things touching the ſeid comonns, 'that may turn to profyght and amendment 'of the ſeid comonalte, and ſalvacion of the 'fraunchiſe; and wee wull and graunte, for 'us and oure ſucceſſours to holde ferme and 'ſtabill all that ever the ſeid 24 ſhall, in theſe 'premiſſes, doo. And if any of the 24 die 'within the terme aboveſeid, or for a cauſe 'be removed, that thanne *the other that a-'byden ſhall choſe other in their ſtede.* And 'that the ſeid 24 ſhall *choſe the officers be-'longying to the ſeid comonalte,* &c.'

Theſe officers were the bailiffs, chamberlains, church-wardens, &c. as appears by the following oath, that was adminiſtered to the jurats, previous to the election.

Thus

'*Thus here, yée bailies, and all good men, that I A. B. ſhall weell and indifferently, and according to the ordenances of this town, make trewe election of the beſt and moſt diſcrete men of this town of Grett Yermouth, to exerciſe and occupy the office of bailies of this town for the yeer next comyng. And alſo I ſhall choſe and make trewe and indifferent election, according to the ſame ordenances, of all other officers; that is to ſay,* ii *chamberleyns,* ii *chirtlewardeyns,* ii *muragers,* viii *wardours of heryng,* ii *collectors for the half dolys, and* iiii *auditours. And I ſhall not fail thus to doo, not levyng for fer, fraude, colluſion, affeccion, or favour of any perſone. So God me helpe at the holy dome and by this book.*'

In conſequence of repeated confirmations of the above-mentioned articles, under the great ſeal of England, the 24 jurats, in the reign of King Edward I. compiled a code of laws and cuſtoms of Yarmouth, the original of which is now loſt, but a tranſlation is ſtill extant, entitled, 'The Copy of the olde boke of the lawes and cuſtomes of Yermouth, tranſlated out of Frenſsh and Engliſsh, by T. Banyard, Styward ther, the year of our Lord God MCCCCLXXXXI. in the time of Chriſtofer Moy and John Bedingham, bailies.'

In

In the ſame year (1491) the burgeſſes firſt made an ordinance to prohibit the re-election of the ſame bailiffs, without an intermediate ſpace of time from their laſt ſerving the office, to their being again eligible; as the electors had frequently, before this, choſen the ſame gentlemen for two, and ſometimes three ſucceſſive years. But by the 3d article of this, 'it is ordeynyd and eſtablyſhyd, that from hens forward he that is balye one yere ſhal not be balye tyl V yer afryr be fully ronne and complete."

The election of four bailiffs ceaſed in the 4th of Henry VI. when Robert Elys and Wm. Oxneye were elected the two bailiffs for the year enſuing, and the town continued under the government of two bailiffs, 24 aldermen, and 48 common-council-men till the 36th year of Charles II. as will afterwards appear.

In the 2d. year of Charles I. a formal complaint was made, at a corporation aſſembly, holden the 17th of July, that ſeveral of their ſociety had projected a ſcheme for altering the mode of government, from the chuſing of two bailiffs to that

that of a mayor, &c. But on a motion being made, the majority appeared againſt the intended alteration, and a reſolution was accordingly agreed to, 'that if any 'one of that ſociety ſhould for the future 'preſume to preſent any ſuch project, or 'have any hand therein, he ſhould be im-'mediately diſmiſſed out of the ſaid ſociety, 'as one adjudged to be an unworthy mem-'ber thereof.'

This occaſioned a diviſion in the corporation, and a diſmiſſion of ſeveral of their members. Amongſt theſe was Mr. Jeffrey Neve, alderman, who was expelled at a full aſſembly, holden the 22d of September, in the ſame year, and Tho. Green choſen in his ſtead. Which being repreſented to the king, he addreſſed his letter "*to the 'bailiffs and aldermen,*" dated the 19th of July, in his 3d year, informing them that, 'Our will and pleaſure is that forthwith, 'upon the receipt of theſe our letters, you 'reſtore the ſaid Neve unto his former 'place, and remove that perſon ſo irregu-'larly choſen in his room, and ſuffer the 'ſaid Neve to exerciſe and perform the du-'ties appertaining to the place of alderman, 'as formerly he hath done. And of the

'performance of this our commandment, 'we require you to ſend an account unto 'one of our principal ſecretaries of ſtate, to 'acquaint us therewith, &c." The party, therefore, that eſpouſed the propoſed alterations, diſmiſſed Green and replaced Neve; but being only a ſmaller part of the body, this was not eſteemed a corporation act, and the oppoſite party ſtrongly remonſtrated againſt it; producing, in their anſwer to the king, many allegations to prove the rectitude of their conduct, in Neve's diſmiſſion, and repreſenting him as a deſigning, unprincipled, litigious perſon, and ſo profligate a ſpendthrift, that he had brought many perſons to poverty and ruin, who had been credulous enough to truſt him; ſoliciting, at the ſame time, that the king would grant a re-examination before "ſome gentlemen of truſt;" for that the caſe of Neve had been much miſrepreſented to him, thro' the partiality of thoſe employed in laying it before his Majeſty, who had only examined ſuch witneſſes as favoured the cauſe they had embarked in.

Thus the matter was laid before the lords of the privy-council, who referred it to a committee, the reſult of whoſe enquiry

quiry, and re-examination of the premiſes, was an order of privy-council, in which it is ſaid that 'Since the ſaid bailiffs petitioning his Majeſty, and alledging divers miſdemeanors of the ſaid Neve, his Majeſty was pleaſed to refer the ſame to the lords of his privy-council, who thereupon thought good to refer the ſame to ſome gentlemen of that county, to examine again the ſaid buſineſs, and certify their opinions therein; as by an order of the board, bearing date the 7th of November laſt, may appear. Now foraſmuch as their lordſhips are well ſatisfied, by the certificate returned by the ſaid gentlemen, concerning the diſmiſſion of the ſaid Neve, and his unfittingneſs for that place of alderman, have thought fit that the ſaid bailiffs and aldermen be no further troubled for the receiving in of the ſaid Neve, but do leave the buſineſs to be ordered by them, according to the orders and conſtitutions of the place.' Upon which the diſmiſſion of Neve, after ſome oppoſition from his party, was confirmed, at an aſſembly holden on the 29th of February, 1628, and Green, of conſequence, was declared duly elected.

The whole of this buſineſs, and Mr. Neve's expulſion, appears to have originated rather on account of his being one of the projectors of the new mode of government, than from any demerit of his, in his official capacity, tho' that was a pretext urged with much plauſibility.

The ſcheme of chooſing a *mayor*, &c. inſtead of two bailiffs, had been ſome time in agitation, but the party that favoured it had not had an opportunity of bringing it to maturity, till ſome time after it had been formally complained of in a corporation aſſembly, as before mentioned; and it is very probable that the rigorous methods purſued by the majority of the corporation againſt Mr. Neve, and others of that party did not a little contribute to ſpirit them on in their favorite project, which had ſucceeded, but for the violent oppoſition of the other party.

In the 4th of the ſaid king, therefore, (1628) at an aſſembly holden the 30th of December, it was 'Ordered, That 'Mr. John Daſſet (being a free burgeſs of 'this burgh, and ſworn to maintain 'the franchiſes, the good cuſtoms, uſages,

'and

'and ordinances thereof) ſhall within five 'days now next enſuing, bring and de-'liver unto Mr. Bailiff Buttolph, a true 'and full copy of the petition which is 'reported he exhibited unto his Majeſty, 'againſt or concerning the town, with-'out the conſent of this houſe; which if 'he ſhall refuſe to do accordingly, (hav-'ing notice given thereof) it is thought 'fit that all ſuch as be of this ſociety, and 'have ſubſcribed their names to the cer-'tificate, which is ſaid to be only for the 'alteration of the manner now, and time 'out of mind, uſed, in the chooſing of 'bailiffs for this burgh, ſhould diſclaim 'what they had ſo done and ſubſcribed 'unto.' Inſtead of a compliance with this 'order, Mr. Daſſet, and others, on the 27th of January following, preferred a com-plaint to the king of the diſorderly and factious government of the town, which his Majeſty referred to the lords of his coun-cil, who ſent a letter to Mr. Bailiff Cooper, requiring that the aſſembly books, and the chamberlain's books ſhould be ſent up to them; which letter, to-gether with a copy of the petition and complaint, was laid be-fore a publick aſſembly, holden the 2d

of February, when Mr. Bailiff Cooper demanding the delivery of the ſaid books, agreeable to the requeſt of the lords, they were accordingly delivered to him, and by him and Mr. Hardware, were taken to London, they having previouſly procured a certificate from under the hands of many of the corporation, by means of which they artfully intended to promote their main purpoſe, tho' they had inſinuated that their intention was only to procure an eſtabliſhed ſucceſſion of the ſenior aldermen to be bailiffs, when in fact they made it the foundation of their petition to the king in favor of their grand ſcheme.

The corporation having information of this, at an aſſembly holden the 18th of March following, ordered that 'Henry 'Davy, Thomas Johnſon, and Robert 'Norgate, or any of them, ſhould be 'appointed and authorized to exhibit a 'petition, in the name of this houſe, to 'the right honourable the lord keeper 'of the great ſeal of England, or any 'other, ſhewing that the ſaid Mr. Cooper 'and Mr. Hardware had not any autho-'rity or conſent from this houſe to do any

'any thing wherein they have intermed-
'dled, and that the town do utterly dif-
'approve and condemn all their proceed-
'ings. And alſo to petition his Maje-
'ſty, if need require, that the truth to
'his Majeſty may more fully appear;
'and alſo to ſignify to the lord keeper,
'that whereas Mr. Cooper did ſend
'up a certificate under the town ſeal of
'admiralty, which was ſhewed in chance-
'ry againſt the town that it was altoge-
'ther without the conſent, knowledge
'or approbation of this houſe, (he hav-
'ing the ſole cuſtody of that ſeal, and
'only uſed in maritime cauſes and not
'otherwiſe) and ſo abuſed that ho-
'nourable court, and alſo this town,
'&c.

Upon this diſpute the bailiffs, aldermen, burgeſſes, and commonaly were ſub-pœna'd, in the penalty of 100*l.* each, by a writ of *Quo Warranto* brought againſt the town, to appear in the court of King's Bench, or in the crown office, to make anſwer before Sir Robert Heathe, attorney general, upon ſuch matters as he ſhould object againſt them on his Majeſty's behalf.

Hence an order was made, to depute Mr. bailiff Buttolph, Sir John Wentworth, Miles Corbett Esq; and alderman Johnson, or either of them, to appear and defend the town, by every eligible means. And on the 25th of May following Mr. Buttolph made his report concerning the obstacles that had been thrown in his way, on his appearance to answer the said writ. The substance of which was, that Mr. Cooper and Mr. Dasset having made a formal acknowledgement of the forfeiture of the town's charters, and submitting, in the name of the town, to the king's mercy, the king's attorney had demanded the seizure of the charters, and for want of authority under the town's seal, no attorney of the crown office dared appear for the town; but that on consulting council, it was found that a warrant under the passport seal was sufficient authority, and that the delivering up of the charters had been refused, and a day fixed on for the town to give in their answer.

A subscription was now set on foot, in the town, for the support of the cause, and the defence of their charters. And on the 11th of June, Mr. George Hard-

ware,

ware, alderman, was disfranchiſed and deprived of his office, for ſupporting the new form of government, as an enemy to 'the publick good of the town, and tending to the ſeizure of all the rights, privileges, cuſtoms, liberties, and charters of the town,' and Mr. Thomas Crane was elected in his ſtead.

As this diſpute was ſtill depending, and the time of electing new bailiffs drew near, the king, by his letter dated the 10th of July, in his fifth year, interfered in their choice: 'inſomuch as our good intentions for the 'ſettiſying of the government there, and 'for the eſtabliſhing and confirming of 'their former liberties, cuſtoms, and fran'chiſes, (which is all we aim at) cannot 'take place ſo ſoon as we deſired, and the 'neceſſity of the good and proſperity of that 'town required. We, therefore, for the 'preſent and ſpeedy reformation of thoſe 'abuſes, and for the continuance of peace'able government there, in the mean time, 'do ſtraightly will and require you that there 'be no proceeding to election of new bai'liffs for the year to come, until we be at 'firſt made acquainted therewith. And 'that you ſend unto us the names of all your

aldermen,

, aldermen, and out of thoſe, that you ‘ make choice of eight of thoſe aldermen, ‘ who by order, and courſe, and otherwiſe ‘ are fitteſt for the place of bailiffs (of ‘ which eight we will that the preſent ‘ bailiffs be two) out of which we propoſe ‘ to recommend unto you two of them ‘ to be your bailiffs for this preſent year ‘ enſuing, or untill, for the better govern- ‘ ment of the town, we ſhall otherwiſe ‘ order the ſame.”

At an aſſembly holden the 29th of Auguſt following, this letter was read with another, dated the 23d of Auguſt, in which reference was made to an order of council, dated 29th of July, touching the diſmiſſion of Mr. Hardware, and in which the oppoſite party were much reprehended; ‘ Their ‘ lordſhips having heard at large that which ‘ he (Mr. Buttolph, the town's agent) ‘ could ſay, both by himſelf and his coun- ‘ cil, and that which was alledged by the ‘ other party, of whom ſome alſo were ‘ preſent, did finally order, that whereas ‘ the ſaid George Hardware had by his ‘ means been diſfranchiſed, he ſhall be for- ‘ thwith reſtored, and redintigrated, and be ‘ every way, in regard of his place, *ſtatu*

quo

'*quo prius.* And likewiſe that he, the ſaid 'William Buttolph, and his aſſociates, 'and alſo thoſe of the other party, and gen-'erally all other of the aforeſaid town, ſhall 'from henceforth forbear all traducing, re-'proaching, and factious proceedings, and 'live together quietly and peaceably, at-'tending the iſſue of that courſe which 'his majeſty hath been graciouſly pleaſed 'to appoint for the redreſs of the aforeſaid 'diſorders."

His Majeſty's letter, alſo, in which this order is mentioned, points out the two aldermen to be elected bailiffs. 'Mean while, 'to remove ſuch diſputes and differences as 'may ariſe betwixt you, about nomination 'of perſons in the election of new bailiffs, 'we allow you the wonted day of election, 'becauſe we will not croſs or contrary the 'cuſtom of your corporation, do recom-'mend unto you, for this year, two alder-'men which are eligible for bailiffs, *Thomas 'Medowe* and *Robert Norgate*, of whoſe abi-'lity we are well informed, &c."

In conſequence of theſe letters, the corporation thought proper to reſtore Mr. Hardware, and to elect the two aldermen for bailiffs recommended by his majeſty, tho' one

of

of them (Mr Norgate) was then ineligible, on account of his having ſerved the office in 1625, when there had been a ſtanding order of the corporation, for many years paſt, that there ſhould be eight years between any perſon's going out of that office and the time of his being again eligible. This order, however, as well as the privilege of choice in the election of bailiffs, the corporation ordered to be *ſuſpended* for one year, not daring to contend with ſo powerful an adverſary as the king. They nevertheleſs petitioned the privy council, on the behalf of Mr. Crane, (elected alderman on Mr. Hardware's diſmiſſion, and diſplaced on his reſtoration) who, on conſidering the matter, permitted the corporation 'that the ſaid Thomas Crane '(notwithſtanding his diſmiſſion from the 'place of alderman) may continue and ſit in 'his ſeat in the church, and be reſtored to 'the next place of alderman when it ſhall 'become vacant."

Thus the matter reſted till the corporation elected (the 30th of November 1629) the earl of Dorſet, then one of the lords of the privy council, to be High Steward of Yarmouth, who being much pleaſed with the office, and wiſhing to ingratiate himſelf with the leading people,

people, did all in his power to ſet this affair of the projected change of government in a clear light, which had hitherto been artfully conducted by its abettors, and which, by his means, was afterwards laid open to the town.

It appears that Mr. Cooper and his aſſociates had ſo far ſucceeded in their plan, that in the beginning of the next year, 1630, the charter was drawn up and lay ready for paſſing the great ſeal, which occaſioned Mr. Buttolph, in the town's name, to prefer a petition to Lord Dorſet, another to the keeper of the great ſeal, and another to the king, praying to poſtpone the paſſing of the ſaid charter, which they obtained, and the king referred the matter to the enquiry of the lord keeper, the lord treaſurer, Lord Dorſet, Viſcount Dorcheſter, and the biſhop of London, to ſhew the reaſons for the propoſed alteration, and their authority for ſoliciting it. The reſult of this enquiry was, that the attorney general had drawn up the charter, * at the inſtance of Mr. Cooper, but it appearing

* By this new charter it was intended that there ſhould be a mayor, a recorder, twelve aldermen, and twenty four common-council men; a ſword-bearer and two ſerjeants at mace, to go before the mayor, and other officers as before.

ing contrary to the ſentiments of the majority of the body corporate, it was ſet aſide; and the corporation, to puniſh Mr. Cooper for his oppoſition, diſmiſſed him from their body; but on his repreſentation of it to the privy council, they were commanded to reſtore him, and received a ſevere reprimand for their conduct. 'We find, ſay the 'council, that you have preſumed (*pendente 'lite*, whilſt the cauſe was in agitation be-'fore us, undetermined) to diſplace Benja-'min Cooper, whom you well know to 'ſolicit and proſecute that cauſe, from be-'ing an alderman of that town, and chooſing 'another in his room, without acquaint-'ing us at all with the cauſes thereof, 'which in diſcretion and duty you ought to 'have done. We let you to know that 'this miſdemeanor, however, (in that the 'honor of the board is therein not a little 'concerned) hath deſerved a more ſevere 'proceeding againſt ſuch as were chief actors 'thereof, yet for the preſent we have been 'contented to forbear the ſame; but do ne-'vertheleſs require and charge you forth-'with upon the receipt of theſe our let-'ers, to reſtore the ſaid Benjamin Cooper

to

'to his place of alderman, and to re-'move John Lucas, or any other ſo unduly 'put in his room.'

This the town endeavoured to evade, but to no purpoſe, and they were at length obliged to reſtore him.

Thus ended this conteſt in which the town, was then, and had been for ſome time, torn to pieces by the violence of the two parties; and tho' the proſecution of the *Quo Warranto* and the new charter continued ſome years after this, the oppoſing party at laſt got the better, and preſerved their ancient form of government.

This, however, did not continue above fifty years; for King Charles II. in his 36th year, 1684, granted them a new charter, and incorporated them by the name of the mayor, aldermen, burgeſſes, and commonalty of the burgh of Great Yarmouth, being modelled nearly upon the plan of that contended for, in the reign of Charles I. and was to conſiſt of a mayor, eighteen aldermen, and thirty ſix common-council-men; but this mode continued a very ſhort time, the ancient form of government being reſtored four

years

years after, by a general proclamation of king James II. in his 4th year.

But as ſoon as Queen Anne came to the crown, the corporation was as anxious to change their bailiffs, for a mayor, &c. as they had been before violent in oppoſing it. A committee of nine perſons was, therefore, appointed, 'To conſider of 'methods to be uſed for petitioning the 'queen's majeſty for a new charter to 'be granted by her majeſty, to create 'and erect this corporation a body po'litique and corporate, by the name of 'mayor, aldermen, burgeſſes, and com'monalty, in lieu of the preſent name 'of incorporation, with a grant of all 'the ancient and preſent cuſtoms, pre'ſcriptions, rights and privileges, to this 'burgh and corporation pertaining, and 'to propoſe ſuch matters to be inſerted 'in the new charter, as to them ſhall 'ſeem meet."

After ſeveral meetings of this committee, they came to a reſolution to preſent a petition to the queen; which being prepared, and agreed to, was accordingly preſented, and was as follows:

'To

To the Queen's most Excellent Majesty.

'THE humble petition of your Ma-
'jesty's loyal and dutiful subjects,
'the bailiffs, aldermen, burgesses, and com-
'monalty of the burgh of Great Yarmouth,
'in the county of Norfolk, comprizing
'therein the said town of Great Yarmouth,
'and the town of Southstone, alias Little
'Yarmouth, in the county of Suffolk,

'Most humbly sheweth,

'That the government of the said cor-
'poration hath always been subject to several
'inconveniences, through defect in their
'charters, and that there are not resident
'in the said burgh, persons of sufficient
'ability, qualified by law, to support their
'present constitution, consisting of two bai-
'liffs, two and twenty other aldermen, and
'eight and forty common-council-men;
'and that by reason of the great charges of
'the government, and the avocations there-
'by from their private affairs, not only

FH
MVSEVM
BRITANNICVM

'considerable persons, intituled to freedom 'in the said burgh, refuse to be admitted 'thereto, but also divers late aldermen, and 'common-council men, (otherwise well 'affected to your Majesty by your govern-'ment) have designedly incapacitated them-'selves for holding their said offices, whose 'places cannot be supplied by persons of 'ability and legal qualifications, to the pre-'judice and interruption of the government 'of the said burgh.

'Your petitioners, therefore, most humbly 'beseech, that your sacred Majesty will 'graciously vouchsafe to create the said 'towns, by your Majesty's charter, a 'body politique and corporate, by the 'name of *Mayor, aldermen, burgesses, and 'commonalty of the burgh of Great Yar-'mouth, in the county of Norfolk*, in lieu 'of our present name of incorporation; 'and to consist of eighteen aldermen, 'and six and thirty common-council-men, 'with a confirmation of our present and 'ancient rights, and privileges, as to your 'Majesty, in your great wisdom, shall 'seem meet.'

Upon the reception of this petition, the queen referred the matter, by an order of council,

council, dated at St. James's the 3d. of December 1702, to Mr. Attorney General, and Mr. Solicitor General, to examine the matter of the ſaid, petition and to report to the council the reſult of their examination, together with their opinion thereon.

Accordingly the committee attended the attorney and ſolicitor general, who, on a due repreſentation of the matter, agreed that a new charter ſhould be made out, upon certain heads, the propriety of which being admitted by the ſaid committee, they were formally ſettled, and produced the following charter, which, as it eſtabliſhed the form of government at this time exiſting, we ſhall give the reader at large.

The charter for creating the burgh of Great Yarmouth, in Norfolk, and the town of Little Yarmouth, in Suffolk, a body politic and corporate, by the name of *Mayor, aldermen, burgeſſes, and commonalty of the burgh of Great Yarmouth.*

'ANNE by the grace of God, of England, Scotland, France and Ireland, 'queen, defender of the faith, &c. To all 'to whom theſe our preſent letters ſhall come 'greeting.

'Whereas our late moſt dearly beloved 'uncle, King Charles II. by his letters patent 'made under his great ſeal of England, 'bearing date at Weſtminſter the 8th day of 'January, in the fifteenth year of his reign, 'for himſelf, his heirs, and executors, or-'dained, conſtituted, and confirmed, that 'his burgh of Great Yarmouth, in his coun-

'ty

'ty of Norfolk, ſhould be, and remain from 'thence for ever, a free burgh of itſelf, and 'that the bailiffs, burgeſſes, and commonalty 'of the burgh aforeſaid, and their ſucceſſors 'from thenceforth for ever, ſhould be and 'remain, by force of the aforeſaid letters pa-'tent, one body corporate, and politic, in 'matter, fact, and name, by the name of '*Bailiffs, aldermen, burgeſſes, and commonalty 'of the burgh of Great Yarmouth, in the 'county of Norfolk*; and them and their 'ſucceſſors by the name of bailiffs, aldermen, 'burgeſſes, and commonalty of the burgh 'of Great Yarmouth, in the county of Nor-'folk, one body corporate and politic, in 'matter, fact, and name, really and perfectly, 'for himſelf, his heirs and ſucceſſors, erect-'ed, made, ordained, conſtituted, declared, 'and confirmed, by the letters patent afore-'ſaid, and that by the ſame name they ſhould 'have perpetual ſucceſſion.

'And further did grant to the aforeſaid 'bailiffs, aldermen, burgeſſes, and common-'alty of the burgh aforeſaid, and their 'ſucceſſors, that from thenceforth for ever 'afterwards, there ſhould be and remain in 'the burgh aforeſaid twenty four good and 'diſcreet men, who ſhould be and ſhould

'be called aldermen of the ſaid burgh, 'and ſhould be of the common-council of 'the ſame burgh.

'And further did nominate and confirm 'two men, in the aforeſaid letters patent 'nominated, to be and remain bailiffs of the 'ſame burgh; and did alſo nominate and 'confirm forty eight men, in the ſame 'letters patent nominated, to be and remain 'of the common council of the ſame burgh, 'as by the aforeſaid letters patent, and by 'diverſe other letters patent, (amongſt 'ſeveral liberties, grants, privileges, powers, 'and authorities) in the ſame letters pa- 'tent reſpectively granted and mentioned, 'is more fully manifeſt, and doth appear.

'And whereas the aforeſaid late king 'Charles II. by his letters patent, under his 'great ſeal of England made, bearing date 'at Weſtminſter the 10th day of February, 'in the twentieth year of his reign, for 'himſelf, his heirs, and ſucceſſors, united 'and incorporated, the men and inhabitants 'of Little Yarmouth, being near Great Yar- 'mouth aforeſaid, to and with the aforeſaid 'bailiffs, aldermen, burgeſſes and common- 'alty of the ſame burgh of Great Yarmouth 'aforeſaid, to and with the aforeſaid incor-

'poration

'poration of that burgh; and willed, and 'by the ſame letters patent, for himſelf, his 'heirs, and ſucceſſors, granted and ordained, 'that the men and inhabitants of Little Yar-'mouth aforeſaid, then, and for the time 'being, to and with the bailiffs, aldermen, 'burgeſſes and commonalty of the burgh of 'Great Yarmouth aforeſaid, then and for the 'time being; and the ſame bailiffs, aldermen, 'burgeſſes and commonalty of the ſame 'burgh, then, and for the time being, to 'and with the ſaid men and inhabitants of 'Little Yarmouth, then, and for the time 'being, ſhould be firmly united, and from 'thenceforth afterwards ſhould be and re-'main one body corporate and politic, ac-'cording to the true intention of an act of 'parliament in the ſame letters patent men-'tioned, and of the proviſion in the ſame 'act mentioned.

'And further, for himſelf, his heirs, and 'ſucceſſors, willed, ordained, conſtituted, 'granted and confirmed, that the bailiffs, al-'dermen, burgeſſes and commonalty, of the 'burgh of Great Yarmouth aforeſaid, and 'the men and inhabitants of Little Yarmouth 'aforeſaid, in form aforeſaid united, and 'their ſucceſſors, from thenceforth after-

'wards for ever, ſhould be and remain, by 'force of the aforeſaid letters patent, one 'body corporate and politic, in matter, 'fact, and name, by the name of bailiffs, 'aldermen, burgeſſes and commonalty, of 'the burgh of Great Yarmouth in the county 'of Norfolk; and them and their ſucceſſors 'by the name of bailiffs, aldermen, burgeſſes 'and commonalty, of the burgh of Great 'Yarmouth, in the county of Norfolk, one 'body corporate and politic, in matter, fact, 'and name, really and fully, for himſelf, his 'heirs, and ſucceſſors, erected, made, ordain-'ed, conſtituted, declared and confirmed, by 'the ſame letters patent, as by the aforeſaid 'letters patent laſt recited, amongſt other 'things in the ſame contained, is more fully 'evident and doth appear.

'And whereas the ſaid bailiffs, aldermen, 'burgeſſes and commonalty, of the burgh 'of Great Yarmouth in the county of Nor-'folk, have moſt humbly repreſented to us, 'that it will be to the profit and benefit, 'and for the better government of the in-'habitants of the burgh of Great Yarmouth, 'and the town of Little Yarmouth, if we 'ſhould grant that there might hereafter be 'in the burgh aforeſaid, one man, who ſhall

'be

'be, and ſhall be called *the Mayor* of the 'burgh aforeſaid, in lieu of the ſaid two 'bailiffs of the burgh aforeſaid: and fur-'ther, that the inhabitants of the town 'and burgh aforeſaid, might be by us incor-'porated by the name of *Mayor, aldermen, burgeſſes and commonalty of the burgh of Great Yarmouth, in the county of Norfolk*; 'alſo that the aforeſaid number of *twenty four* aldermen, of the burgh aforeſaid, may 'be reduced to the number of *eighteen* only 'as ſoon as by death, or the removal of any 'of the preſent aldermen of the ſame burgh, '*eighteen* only of the ſame ſhall be ſurviving, 'or remaining in the office of aldermen of 'the burgh aforeſaid and further, that in 'the very like manner, the aforeſaid number 'of *forty eight* of the common-council of the 'ſame burgh, be reduced to the number of '*thirty ſix* only, as ſoon as any twelve of 'them ſhall die, or be removed from the 'office of common-council aforeſaid; and alſo 'that all other alterations, additions, powers 'and authorities, might be as are after-'ward in theſe preſents granted, made and 'declared.

'Now know ye, that we, graciouſly af-'fecting the better of our burgh of *Great Jernemouth*,

'*Jernemouth*, otherwiſe *Jernemutha*, otherwiſe *Yarmouth*, in our county of Norfolk, and the town or burgh of *Little Jernemouth* otherwiſe *Jernemutha*, otherwiſe *Yarmouth*, otherwiſe *South-town*, in our county of Suffolk, and willing that from henceforth for ever, there may be had one certain and undoubted manner in that burgh, of and for the keeping of our peace, and the good rule of government of the burgh aforeſaid, and our people there dwelling, and others thither reſorting, and the ſaid burgh and town, in all times to come, may be and remain a burgh of peace and tranquillity, to the fear and terror of the evil, and the reward of the good; and that our peace, and other acts of juſtice and good government, may be there better kept and done; and hoping, that if the ſaid inhabitants of the burgh aforeſaid, can enjoy more ample liberties and privileges by our grant, then they may think themſelves more ſpeedily and ſtrongly obliged to perform and exhibit to us, our heirs and ſucceſſors, what ſervices they can, of our ſpecial grace, and of our certain knowledge, and mere notion have ordained, conſtituted, granted and declared, and by theſe preſents, for us, our

'our heirs, and ſucceſſors, do ordain, con-
'ſtitute, grant and declare, that our ſaid
'burgh of *Great Jernemouth* otherwiſe *Jer-*
'*nemutha*, otherwiſe *Yarmouth*, in our county
'of Norfolk aforeſaid; alſo the town or burgh
'of *Little Jernemouth*, otherwiſe *Jernemu-*
'*tha*, otherwiſe *Yarmouth*, otherwiſe *South-*
'*town*, in our county of Suffolk aforeſaid,
'may be and remain, hereafter for ever, a
'free burgh of itſelf, and that the inhabitants
'of the burgh of *Great Jernemouth*, other-
'wiſe *Jernemutha*, otherwiſe *Yarmouth*, and
'of the town or burgh of *Little Jernemouth*,
'otherwiſe *Jernemutha*, otherwiſe *Yarmouth*,
'otherwiſe, *South-town* aforeſaid, hereafter
'for ever may and ſhall be, by force of theſe
'preſents, one body corporate and politic,
'in matter, fact and name, by the name of
'the *Mayor, aldermen, burgeſſes and common-*
'*alty of the burgh of Great Yarmouth, in the*
'*county of Norfolk*; and them, and their ſuc-
'ceſſors, by the name of mayor, aldermen,
'burgeſſes and commonalty, of the burgh of
'Great Yarmouth, in the county of Norfolk,
'one body corporate and politic, in matter,
'fact and name, really and fully, for us, our
'heirs and ſucceſſors, we do erect, make, or-
'dain, conſtitute and declare, by theſe pre-
ſents,

'ſents, and that by the ſame name, they 'have perpetual ſucceſſion, and that they and 'their ſucceſſors by the name of the mayor, 'aldermen, burgeſſes and commonalty, of 'the burgh of Great Yarmouth, in the county 'of Norfolk, may and ſhall be, at all times 'hereafter, perſons able and capable in law, 'to have, purchaſe, receive and poſſeſs ma-'nors, meſſuages, lands, tenements, liberties, 'privileges, rights, juriſdictions and her-'editaments whatſoever, to them and their 'ſucceſſors in fee and perpetuity, for term 'of life, lives, or years, or otherwiſe, in 'what lawful manner ſoever; and alſo goods 'and chattels, and all other things, of what 'kind, nature, ſpecies, or quality ſoever they 'ſhall be; alſo to give, grant, demiſe, and 'aſſign, the ſame manors, meſſuages, lands, 'tenements, hereditaments, goods and chat-'tels, and to do and execute all other acts and 'things by the name aforeſaid.

'And that by the name of mayor, alder-'men, burgeſſes and commonalty of the 'burgh of Great Yarmouth, in the county 'of Norfolk, they may and can plead, and 'be impleaded, anſwer and be anſwered, de-'fend and be defended, in what courts or 'places ſoever, and before what judges and juſtices,

'justices, and other persons and officers soever,
'of us, our heirs, or successors, in all and sin-
'gular actions, pleas, suits, plaints, causes,
'matters and demands whatsoever, of what
'kind, nature or species soever they may be,
'in the same manner and form as any, our
'liege people of this our kingdom of England,
'persons able and capable in law, or any
'other body corporate and politic, within this
'our kingdom of England, may and can
'have, purchase, receive, possess, give, grant
'and demise, and plead and be impleaded,
'answer and be answered, defend and be de-
'fended; and that the mayor, aldermen,
'burgesses and commonalty of the burgh
'aforesaid, and their successors, may have for
'ever a common seal, to serve for the causes
'and business whatsoever of them and their
'successors to be done, and that it may and
'shall well be lawful for the mayor, alder-
'men, burgesses, and commonalty of the
'burgh aforesaid, and their successors, the
'said seal at their pleasure, from time to time,
'to break, change and new make, as to them
'it shall seem best to be done and to be.

'And further we will, and by these pre-
'sents, for us, our heirs, and successors, do
'grant and ordain, that from henceforth for

ever,

'ever, there may and ſhall be in the burgh 'aforeſaid, one of the beſt and moſt diſcreet 'aldermen of the ſaid burgh, for the time 'being, to be elected and conſtituted, in form 'hereafter in theſe preſents mentioned, in 'place of the bailiffs of the burgh aforeſaid, 'who ſhall be, and ſhall be nominated, the '*mayor* of the burgh aforeſaid; and for the 'better execution of our will in this behalf, 'we have aſſigned, nominated, conſtituted 'and made, and by theſe preſents, for us, 'our heirs and ſucceſſors, do aſſign, nominate, 'conſtitute and make, our beloved *Benjamin* '*Engle*, Eſq; to be and remain the firſt, and 'modern mayor of the burgh aforeſaid, will-'ing that the ſame Benjamin Engle ſhall con-'tinue in the office of mayor of the burgh 'aforeſaid, from the date of theſe preſents, 'until the feaſt of St. Michael the archangel 'next enſuing, and from thenceforth until 'one other of the aldermen of the burgh 'aforeſaid, ſhall in due manner be elected, 'preferred, and ſworn to that office, accord-'ing to the ordinances and conſtitutions here-'after in theſe preſents declared, if the ſame 'Benjamin Engle ſhall ſo long live.

'And further we will, and by theſe preſents, 'for us, our heirs and ſucceſſors, do grant to the

'the aforeſaid mayor, aldermen, burgeſſes and 'commonalty of the burgh aforeſaid, and 'their ſucceſſors, that every mayor of the 'burgh aforeſaid, hereafter to be elected, no-'minated, or conſtituted, from time to time, 'and at all times hereafter, ſhall be annually 'elected and nominated out of the aldermen 'of the burgh aforeſaid, for the time being, 'by ſuch perſons, at ſuch days and times, and 'in ſuch manner, as the bailiffs of the ſame 'burgh, before this, were elected, nominated 'and conſtituted; and that the aforeſaid Ben-'jamin Engle, and every mayor of the ſaid 'burgh, for the time being, from henceforth 'for ever, may have, hold, enjoy and exerciſe, 'and may and can have, hold, enjoy and ex-'erciſe, ſo many, ſo great, ſuch, the ſame, 'ſuch like, and the very like courts, powers, 'privileges, authorities, fees, rights, juriſ-'dictions, perquiſites and profits, to all intents 'and purpoſes whatſoever, as, and which the 'bailiffs of the ſaid burgh jointy land ſeverally 'heretofore, in any manner, have had, hold-'en, enjoyed or exerciſed, or could or ought 'to have, hold, enjoy or exerciſe.

, And further we will, and by theſe pre-'ſents, for us, our heirs and ſucceſſors, of 'our ſpecial grace and of our certain know-

ledge

'ledge and mere motion, do grant to the 'mayor, aldermen, burgeſſes and common-'alty, of the burgh aforeſaid, and their 'ſucceſſors, that as ſoon as the aforeſaid 'number of *twenty four* aldermen of the 'burgh aforeſaid ſhall be reduced to the 'number of *eighteen* only, by death, reſignati-'on, removal, or otherwiſe, there may and 'ſhall be, from thenceforth for ever after-'wards, within the burgh aforeſaid, eighteen 'good and diſcreet men only, who ſhall be, 'and ſhall be called *aldermen* of the burgh 'aforeſaid, and *no more*, and who ſhall be of 'the common-council of the ſaid burgh.

'Moreover we will, and by theſe preſents, 'for us, our heirs and ſucceſſors, do grant to 'the mayor, aldermen, burgeſſes and com-'monalty, of the burgh aforeſaid, and their 'ſucceſſors, that as ſoon as the aforeſaid num-'ber of *forty and eight* common-council men 'of the burgh aforeſaid, ſhall be reduced to 'the number of *thirty ſix* only, by death, re-'ſignation, removal or otherwiſe, there may 'and ſhall be, from thenceforth afterwards, 'for ever, within the burgh aforeſaid, thirty 'ſix *only*, of the better and more diſcreet 'burgeſſes of the burgh aforeſaid, for the 'time being, and *no more*, who ſhall 'be, and ſhall be called *the common-council*

'*men*

'*men* of that burgh, and ſhall be of the com-
'mon-council of that burgh, beſides the
'ſaid mayor and aldermen of the burgh afore-
'ſaid, for the time being.

'We will alſo, and by theſe preſents for
'us, our heirs and ſucceſſors, do grant to the
'mayor, aldermen, burgeſſes and common-
'alty of the burgh aforeſaid, and their ſuc-
'ceſſors, that henceforth for ever, there may
'and ſhall be, within the burgh aforeſaid, one
'good and diſcreet man, learned in the laws
'of England, and who hath been a barriſter
'by the ſpace of five years, who ſhall be, and
'ſhall be called the *ſub-ſteward* of the burgh
'aforeſaid, and for the better execution of
'our will in this behalf, we have aſſigned,
'nominated, conſtituted and made, our be-
'loved and faithful ſubject Francis Long,
'Eſq; to be and remain the firſt and modern
'ſub-ſteward of the burgh aforeſaid, and in
'the ſame office to be continued as long as he
'ſhall behave himſelf well in the execution
'thereof.

'We will alſo, and by theſe preſents, for
'us, our heirs and ſucceſſors, do grant to the
'mayor, aldermen, burgeſſes and commonal-
'ty of the burgh aforeſaid, and their ſucceſſ-
'ors, that if it ſhall happen that the aforeſaid

'Benjamin Engle, above by theſe preſents,
'nominated to be the mayor of the burgh
'aforeſaid, or any other future mayor of the
'burgh aforeſaid, for the time being, die or
'be removed from that office, during the time
'of his mayoralty, or if it ſhould happen that
'any election of the mayor of the burgh
'aforeſaid hereafter be fruſtrated, for the in-
'capacity or renunciation of him who ſhall be
'elected to the office of mayor of the burgh
'aforeſaid, or for any other cauſe whatſoever,
'that then, and ſo often as the caſe ſhall ſo
'happen, it may and ſhall be lawful for the
'ſenior alderman of the burgh aforeſaid, or in
'his abſence or refuſal, for any other of the
'aldermen of the burgh aforeſaid, for the time
'being, who at that time ſhall be a juſtice for
'the peace of the burgh aforeſaid, and there-
'fore capable immediately to call a common-
'council of the burgh aforeſaid, notice there-
'of, by the ſpace of three days, being firſt
'given to all the common council within the
'ſame burgh then reſident, and to proceed to
'the election of one of the aldermen of the
'ſame burgh, into the office of mayor of
'the burgh aforeſaid, as is aforeſaid.

'And further we will, and by theſe pre-
'ſents, for us, our heirs and ſucceſſors, do

'grant

'grant to the mayor, aldermen, burgeſſes and 'commonalty, of the burgh aforeſaid, and 'their ſucceſſors, that ſo often as, and when-'ſoever it ſhall happen, that any high ſteward, 'recorder, or ſub-ſteward, of the burgh afore-'ſaid, for the time being, die, or from his 'or their office or offices be removed, or 'relinquiſh that then, and in every ſuch caſe, 'other fit perſon or perſons, from time to time, 'to and in that office reſpectively ſhall in due 'manner be elected by the mayor, alder-'men and common-council men of the 'burgh aforeſaid, for the time being, in com-'mon-council aſſembled, or by the greater 'part of the ſame ſo aſſembled; and ſhall 'reſpectively exerciſe and enjoy their offices, 'to which they have been ſo reſpectively 'elected, ſo long as they ſhall well behave 'themſelves reſpectively in the execution 'thereof.

'And further we will, and by theſe pre-'ſents, for us, our heirs and ſucceſſors, do 'grant to the mayor, aldermen, burgeſſes and 'commonalty, of the burgh aforeſaid, and 'their ſucceſſors, that the conſtitution, elec-'tion and nomination of all other officers 'and miniſters whomſoever, in the burgh 'aforeſaid, eligible to be nominated and

'elected, from time to time, and at all 'times hereafter, may be, ſhall be, and ſhall 'be made, in the ſame manner and form, 'and by ſuch perſons, as it heretofore has 'been uſed and accuſtomed within the burgh 'aforeſaid.

'And further, that the mayor, by theſe 'preſents nominated, and conſtituted, and 'every future mayor of the burgh aforeſaid, 'for the time being, may have, hold and 'enjoy, in all elections of officers, juſtices 'of peace, and miniſters of the burgh afore-'ſaid, hereafter to be elected and nominated, , and in all courts within the burgh aforeſaid 'ſo many, ſuch, and all, and ſuch like ſuf-'frages, powers, authorities and privileges, 'as and which the late bailiffs of the burgh 'aforeſaid, ever lawfully have had, exerciſed 'or enjoyed, or ought or could have, exer-'ciſe, or enjoy.

'And whereas, the late king Henry 'VII. by his letters patent, under his great 'ſeal of England made, bearing date at 'Weſtminſter, the 16th day of May, in the 'ninth year of his reign, among other things, 'granted for him and his hers, to the 'bailiffs and burgeſſes of the burgh afore-'ſaid and town of Great Yarmouth, and

their

'their ſucceſſors, that the bailiffs of the burgh 'aforeſaid, for the time being, might elect to 'themſelves every year, in the feaſt of St. 'Michael the archangel, for ever, two learned 'in the law, and four burgeſſes of the ſame 'burgh, and that the ſaid bailiffs for the time 'being, the aforeſaid learned in the law, and 'the aforeſaid four burgeſſes, ſo by the ſame 'bailiffs, for the time being, to be elected 'hereafter, for the year from thence next 'enſuing, ſhould be for ever, jointly and 'ſeverally, keepers of the peace of the ſame 'late king, and his heirs; and that they 'ſix, five, four, three, or two of them (of 'whom a learned in the law ſhould be one) 'ſhall execute all things which belong to 'a juſtice of peace, ariſing, to be en-'quired, heard, and determined, within 'the precinct of the burgh, or town aforeſaid, 'in as ample manner and form as other 'juſtices of the peace, in any county in the 'kingdom of England, had power, or have 'been accuſtomed to do, or had, or have 'been their duty to do, as by the ſame letters 'patent, amongſt other things, it does more 'fully appear.

'And whereas the late Queen Eliza-'beth, by her letters patent, under her great

'ſeal of England, bearing date at Weſt-
'minſter the 26th day of May, in the firſt
'year of her reign, willed, and for her, her
'heirs and ſucceſſors, as much as in her
'was, granted to the aforeſaid bailiffs, bur-
'geſſes and commonalty of the burgh and
'town of Great Yarmouth aforeſaid, and their
'ſucceſſors, that as often as, and whenſo-
'ever it ſhould happen, at any time from
'thence afterwards, that either of the afore-
'ſaid learned in the law, who ſhall be elected
'a juſtice of the peace of the ſame queen, her
'heirs and ſucceſſors, within the burgh and
'town aforeſaid, and the liberties and pre-
'cincts of the ſame, die, during the time
'where in he ſhould be a juſtice of the peace,
'that then and ſo often it ſhould be well and
'lawful for the bailiffs of the ſame town for
'the time being, from hence, from time to
'time for ever, as and when it ſhould pleaſe
'and ſeem expedient to them, immediately
'after ſuch caſualty of death, to nominate and
'elect to themſelves, another learned in the
'law, to be and remain a juſtice of the peace
'of the ſaid queen, her heirs and ſucceſſors,
'in the place of him ſo dying.

'And further willed, and by the ſame
'letters patent, for herſelf, her heirs and
'ſucceſſors,

'ſucceſſors, granted to the aforeſaid bailiffs, 'burgeſſes and commonalty of the town 'aforeſaid, that as often as, and whenever 'it ſhould happen, at any time from thence, 'that any of the aforeſaid four burgeſſes, 'by the aforeſaid bailiffs, to be elected a ju-'ſtice of the peace, of her, her heirs and ſuc-'ceſſors, within the burgh and town afore-'ſaid, die, during the time wherein he 'ſhould be a juſtice of the peace, that then 'and ſo often as it ſhould well be lawful 'for the bailiffs of the ſame burgh, for the 'time being, from thence, from time to time 'for ever, as, and when it ſhould pleaſe and 'ſeem expedient to them to nominate and 'elect to themſelves one and more of the 'burgeſſes then inhabitants of the ſame burgh, 'and then being burgeſſes of that burgh, or 'town, to be and remain a juſtice or juſtices 'of the peace within the burgh and town 'aforeſaid.

'And further willed, and, by the ſame 'letters patent, granted to the aforeſaid bai-'liffs, burgeſſes and commonalty, and their 'ſucceſſors, that every perſon, ſo as is afore-'ſaid to be elected, and nominated for a juſtice 'of the peace, within the burgh and town 'aforeſaid, by the aforeſaid bailiffs, from

'thence may and ſhall be a juſtice of the 'peace, within the aforeſaid burgh and town 'and the liberties and precincts of the ſame, 'until the feaſt of St. Michael the archangel 'then next enſuing, in manner and form 'above expreſſed and mentioned, as by the 'ſame letters patent, amongſt other things in 'the ſame contained, is more fully manifeſt 'and doth appear.

'Know ye now, that we, for the better 'government of the inhabitants of the burgh 'and town aforeſaid, by theſe preſents incor-'porated, and that our peace and other acts 'of juſtice, within the burgh and town afore-'ſaid, may be the better kept and done, of 'our more abundant ſpecial grace, and of our 'certain knowledge and mere motion have 'granted, and by theſe preſents, for us, our 'heirs and ſucceſſors, do grant to the afore-'ſaid mayor, aldermen, burgeſſes and com-'monalty of the burgh aforeſaid, and their 'ſucceſſors, that in the places of the afore-'ſaid juſtices, the aforeſaid Benjamin Engle, 'and every mayor of the burgh aforeſaid, 'at his entrance into that office, and during 'his mayoralty, and from thence during the 'time wherein he afterwards ſhall be al-'derman of the burgh aforeſaid, alſo the

'high

'high ſteward, recorder, ſub-ſteward of the 'burgh aforeſaid, now, and for the time be-'ing, during their continuance in their afore-'ſaid reſpective offices, alſo *Benjamin En-'gland, Peter Caulier, Samuel Fuller, Natha-'niel Symonds, Thomas Godfrey, Anthony Ellys 'Senior, and Gabriel Ward*, Eſqs; (now the 'ſeven ſenior aldermen of the burgh aforeſaid) 'as long as they ſhall continue reſpectively 'in the ſaid office of aldermen of the burgh 'aforeſaid, hereafter for ever, may and ſhall 'be, and every of them, may and ſhall be a 'juſtice and juſtices of us, our heirs and ſuc-'ceſſors, to conſerve and keep, and cauſe to be 'conſerved and kept, the peace of us, our 'heirs and ſucceſſors, within the burgh and 'town aforeſaid, incorporated as is aforeſaid, 'and the limits and precincts thereof, and to 'keep and cauſe to be kept, all the ſtatutes, 'ordinances, and inſtitutes made for the good 'of our peace, and the government of the 'people of us, our heirs and ſucceſſors, in 'all their articles, in the burgh aforeſaid, the 'liberties and precincts thereof, by the juſtices 'of the peace of us, our heirs and ſucceſſors, 'to be done according to the force, form, 'and effect of the ſame, and to chaſtiſe and 'puniſh all thoſe whom, againſt the form of

'the

'the ſaid ordinances and ſtatutes, or any of 'them, in the burgh aforeſaid, the liberties and 'precincts thereof, they ſhall find offending 'as according to the form of the ſaid ordi-'nances and ſtatutes, ſhall be to be done; 'and to cauſe all them to come before them, 'who ſhall threaten any of the people of us, 'our heirs and ſucceſſors, concerning their 'bodies, or the burning of their houſes, or 'find ſufficient ſecurity of the peace, and their 'good behaviour towards us, and the people 'of us, our heirs and ſucceſſors; and if ſuch 'ſecurity they ſhall refuſe, then to cauſe them 'to be ſafely kept in the priſon of us, our 'heirs and ſucceſſors, within the burgh afore-'ſaid, untill ſuch ſecurity they ſhall find.

'And beſides, that the aforeſaid juſtices, 'by theſe preſents nominated and conſtituted, 'or any three or more of them (of whom we 'will that any two, the mayor, recorder, ſub-'ſteward and deputy of the mayor of the 'burgh aforeſaid, for the time being, be 'two: and of thoſe two we will that the 'ſaid mayor, or deputy mayor of the burgh 'aforeſaid, for the time being, be one) from 'henceforth hereafter for ever, ſhall be 'juſtices of us, our heirs and ſucceſſors, 'to enquire, by the oath of good and lawful

'men

'men of the burgh aforeſaid, the liberties and 'precincts thereof, by whom the truth of 'the matter may be better known, of all, 'and all manner of felonies, treſpaſſes, 'foreſtallings, regratings, extortions, and 'other miſdeeds, within the burgh and 'town aforeſaid, the limits and precincts there-'of, as well upon the haven and waters, as 'upon the land, within the burgh, town, and 'liberties and precincts aforeſaid, by whomſo-'ever, and in what manner ſoever done or 'perpetrated, and which there from this 'time ſhall happen to be done; and alſo 'of all and ſingular other deeds and things 'within the burgh and town aforeſaid, the 'liberties and precincts thereof, after what 'manner ſoever done, attempted or perpe-'trated, or which ſhall hereafter happen there 'to be done, attempted, or perpetrated; and 'alſo to enquire, hear, and determine, all 'and all manner of felonies, treſpaſſes and 'miſdeeds whatſoever, and all matters, 'plaints, defaults, cauſes and other things 'whatſoever, within the burgh aforeſaid, the 'liberties and precincts thereof, heretofore 'or hereafter done, attempted, committed, 'ariſing or happening, as fully, freely and 'wholly, as the keepers of the peace of us,

'our

'our heirs and ſucceſſors, to conſerve the 'peace in any county of our kingdom of En- 'gland; and alſo to hear and determine di- 'verſe felonies, treſpaſſes and other miſdeeds, 'in any county of England perpetrated: of 'ſuch felonies, treſpaſſes, and miſdeeds, and 'other the premiſes, in any county of the 'kingdom of England of us, our heirs and 'ſucceſſors, by virtue of the ordinances and 'ſtatutes before theſe times made, or aſſigned, 'or to be made or aſſigned, according to the 'force, form and effect of the letters patent 'of us, or our predeceſſors, to them thereof 'made and to be made, it ought, uſeth, and 'ſhall be due to enquire, and to diſcuſs and 'determine, all and ſingular other the pre- 'miſes whatſoever, within the burgh, town, 'limits and precincts aforeſaid, done, at- 'tempted, or perpetrated, or from henceforth 'to be done, attempted, or perpetrated, which, 'by ſuch keepers of the peace of us, our heirs 'and ſucceſſors, aſſigned or to be aſſigned; to 'hear and determine ſuch felonies, treſpaſſes, 'and miſdeeds, in any county aforeſaid, by 'virtue of the ordinances, and ſtatutes afore- 'ſaid, and our letters patent aforeſaid, ought 'and uſe, and ſhall be due to be diſcuſſed, and 'determined, by the ſaid juſtices by theſe

'preſents

'preſents conſtituted, and the juſtices of the 'burgh aforeſaid, for the time being, or any 'two of them, as is aforeſaid, ſhall be heard 'and determined, according to the law and 'cuſtom of our kingdom of England, and the 'form of the ordinances and ſtatutes afore-'ſaid.

'And further we will, and by theſe pre-'ſents, for us, our heirs and ſucceſſors, do 'grant to the mayor, aldermen, burgeſſes and 'commonalty, of the burgh aforeſaid, and 'their ſucceſſors, that the aforeſaid juſtices 'of the burgh aforeſaid, for the time being, 'or any two or more of them (of whom we 'will that the mayor, or recorder, or ſub-'ſteward, or deputy mayor of the burgh afore-'ſaid, for the time being be one) may and 'ſhall have full power and authority to con-'voke, hold, and adjourn from time to time, 'ſeſſions of the peace within the burgh afore-'ſaid.

'And further we will, and by theſe preſents, 'for us, our heirs and ſucceſſors, do charge 'and command, that all writs, precepts, and 'other warrants, for the premiſes aforeſaid, 'and every of them, to be made, ſhall be 'directed to the miniſters of the burgh afore-'ſaid, and by them may be executed without

'any

'any writ, precept, or warrant from the 'ſheriff, coroner of our county of Norfolk, 'or our county of Suffolk, or either of them 'therefore in any wiſe to be directed.

'And alſo we will and command, that the 'keepers of the peace of us, our heirs and 'ſucceſſors, and ſuch juſtices of us, our heirs 'and ſucceſſors, aſſigned, or to be aſſigned 'to hear, and determine ſuch felonies, treſ-'paſſes, and miſdeeds, in the county of Nor-'folk, or Suffolk aforeſaid, done or perpe-'trated, to be done, or to be perpetrated, 'within the town or burgh of Little Jerne-'mouth, otherwiſe Yarmouth, the liberties 'and precincts thereof, to do any thing, 'which to the keepers of the peace, or ſuch 'juſtices there doth belong, ſhall not enter, 'nor any of them ſhall enter, nor in any wiſe 'intermeddle, nor any of them intermeddle.

'And further we will, and by theſe preſents, 'for us, our heirs and ſucceſſors, do confirm 'and conſtitute, all and ſingular the modern 'officers, and miniſters of the burgh aforeſaid, 'in their reſpective offices (the aforeſaid late 'bailiffs and juſtices of our peace excepted) 'to be continued in the ſame offices, accord-'ing to the uſe and cuſtom of the burgh 'aforeſaid, and in as ample manner and form,

'as

'as if they in theſe preſents, by their reſpec-
'tive proper names, had been nominated,
'conſtituted and confirmed,

'And further we will, and by theſe pre-
'ſents, for us, our heirs and ſucceſſors, do
'grant to the aforeſaid mayor, aldermen,
'burgeſſes and commonalty of the burgh
'aforeſaid, and their ſucceſſors, that it ſhall
'and may be lawful for the mayor of the
'burgh aforeſaid, for the time being, or in
'caſe of abſence, or ſickneſs of the ſaid may-
'or, it may and ſhall be lawful for the de-
'puty mayor of the burgh aforeſaid, to ſum-
'mon and call together, the aldermen and
'common-council men of the burgh afore-
'ſaid, for the time being, in the *Guild-hall*,
'or the *Tollhouſe-hall*, or other place conve-
'nient within the burgh aforeſaid, as in times
'paſt, within the ſaid burgh it has been uſed;
'which ſaid mayor, or the deputy mayor,
'aldermen and common-council men of the
'burgh aforeſaid, for the time being, or the
'major part of them ſo aſſembled and gathered
'together (of whom we will, that the mayor,
'or duputy mayor of the burgh aforeſaid, for
'the time being, be one) may and ſhall be for
'ever, the common-council of the burgh
'aforeſaid, and may and ſhall have, to many,

'ſo

'ſo great, ſuch, all, and the very like liber-
'ties, rights, juriſdictions, powers, authori-
'ties and privileges, as the common-coun-
'cil of the burgh aforeſaid heretofore ever,
'in any manner, lawfully have had, exerciſ-
'ed, or enjoyed, or could or ought to have,
'enjoy, or exerciſe, as well as to conſtitute,
'ordain, make, and eſtabliſh laws, ſtatutes,
'conſtitutions and ordinances, as otherwiſe,
'or in any manner whatſoever.

'We will alſo, that the aforeſaid Benjamin
'Engle, above in theſe preſents nominated to
'be the firſt and modern mayor of the burgh
'aforeſaid, before he be admitted to execute
'the office of mayor, and truſt of a juſtice of
'the peace of the burgh aforeſaid, ſhall take
'corporal oath, to execute that office, in and
'by all things well and faithfully; alſo the
'oath by the laws and ſtatutes of this our king-
'dom of England, by juſtices of the peace
'required to be taken, before the aforeſaid
'Benjamin England, Peter Caulier, Samuel
'Fuller, Nathaniel Symonds, Thomas God-
'frey, Anthony Ellys ſenior, and Gabriel
'Ward, or any two or more of them, to which
'ſaid perſons, or any two or more of them, we
'do give and grant full power and authority,
'by theſe preſents, of giving and adminiſtring,

'ſuch

'ſuch oaths to the aforeſaidBenjamin Engle,
'without any other warrant, from us our
'heirs or ſucceſſors, in that behalf to be pro-
'cured or obtained.

'And further we will, and by theſe pre-
'ſents, for us, our heirs and ſucceſſors, do
'grant to the aforeſaid mayor, aldermen, bur-
'geſſes and commonalty of the burgh afore-
'ſaid, and their ſucceſſors, that it may and
'ſhall be lawful for the mayor of the burgh
'aforeſaid, for the time being, at his plea-
'ſure to elect, make and conſtitute, from
'time to time, one of the aldermen, then
'beinga juſtice for the peace within the burgh
'aforeſaid, to be and remain a deputy of
'the ſaid mayor of the burgh aforeſaid, for
'the time being, which deputy may and
'ſhall have full power and authority, to ſum-
'mon a common-council of the burgh afore-
'ſaid, from time to time, alſo to do and ex-
'ecute all and ſingular other things, which
'to the office of the mayor of the burgh
'aforeſaid, do, or ought to belong, during the
'abſence or ſickneſs of the mayor of the burgh
'aforeſaid, for the time being, as fully freely
'and wholly, as the mayor of the burgh
'aforeſaid, if he were preſent, may and can
'do and execute,

'Provided always, and we will that the ſaid 'deputy mayor of the burgh aforeſaid, ſhall 'take a corporal oath before the mayor of 'the burgh aforeſaid, for the time being, 'well and faithfully to execute the office 'aforeſaid, before he intermeddle in the 'office of deputy mayor of the burgh afore-'ſaid, and ſo often as the caſe ſhall ſo happen, 'to which ſaid mayor of the burgh aforeſaid, 'for the time being, we do, by theſe pre-'ſents, give and grant full power and autho-'rity of giving and adminiſtring ſuch oaths.

'We will alſo, and by theſe preſents, for 'us, our heirs and ſucceſſors, do command 'and ordain to all and ſingular the perſons 'aforeſaid, who before in theſe preſents, are 'nominated and conſtituted juſtices of the 'peace of the burgh aforeſaid, before they, or 'any of them be admitted to execute the truſt 'of a juſtice of the peace within the burgh 'aforeſaid, ſhall take and every of them ſhall 'take their corporal oaths in that behalf, by 'the laws of the ſtatutes of this our kingdom 'of England provided, required to be taken 'by juſtices of the peace, before the aforeſaid 'Benjamin Engle, by theſe preſents conſtitut-'ed mayor of the burgh aforeſaid, or his de-'puty mayor; to which ſaid Benjamin En-

gle,

'gle, or his deputy mayor, forthe time being, 'we do give and grant, by theſe preſents, 'full power and authority of requiring, giv-'ing, and adminiſtring ſuch oaths to the 'juſtices aforeſaid.

'And further we will, and by theſe pre-'ſents, for us, our heirs and ſucceſſors, do 'command and ordain, that the aforeſaid 'Francis Long, above in theſe preſents no-'minated and conſtituted ſub-ſteward in the 'burgh aforeſaid, alſo every ſub-ſteward of 'the burgh aforeſaid hereafter to be elected, 'alſo every mayor of the burgh aforeſaid 'hereafter to be elected, before they, or either 'of them be admitted to the execution of 'their offices reſpectively, ſhall reſpectively 'take their corporal oaths upon the holy 'Evangeliſts of God, reſpectively to execute 'their offices aforeſaid, before the juſtices of 'the burgh aforeſaid, for the time being, or 'any two or more of them, (of whom we 'will that the mayor of the burgh aforeſaid, 'for the time being, if he ſhall be living, 'and preſent in the burgh aforeſaid, be one) 'to which ſaid juſtices, or any two of them, 'as is aforeſaid, we do, for us, our heirs and 'ſucceſſors, give and grant, by theſe preſents,

'full power and authority of giving and ad-
'miniſtring ſuch oaths.

'And furthermore, that all and ſingular
'other officers and miniſters of the burgh
'aforeſaid, hereafter to be elected, before
'they or any of them be reſpectively admitted
'to the execution of their offices, ſhall take,
'and every of them ſhall take their corporal
'oaths, upon the holy Evangeliſts of God,
'well and faithfully to execute their offices
'reſpectively, before the mayor and juſtices
'of the burgh aforeſaid, for the time being,
'or any two of them, to which mayor and
'juſtices, or any two of them, as is aforeſaid,
'we do, for us, our heirs and ſucceſſors,
'give and grant, by theſe preſents, full
'power and authority of giving and admi-
'ſtring ſuch oaths to all future officers and
'miniſters of the burgh aforeſaid, as is
'aforeſaid.

'And further we will, and by theſe pre-
'ſents, for us, our heirs and ſucceſſors,
'do grant that it may and ſhall be lawful
'for every mayor of the burgh aforeſaid,
'for the time being, to elect and take to
'himſelf, from time to time, one officer,
'who ſhall be, and ſhall be called *Enſifer*,

'in

'in Engliſh, the *Sword-bearer*, of the burgh 'aforeſaid, which ſaid office called the 'ſword-bearer, one ſword in a ſcabbard 'every where within the burgh aforeſaid, 'the liberties and precincts thereof, before the 'mayor of the burgh aforeſaid, or his de-'puty for the time being, ſhall carry and 'bear, and may and can carry and bear, and 'ſhall continue in his office, aforeſaid, during 'the good pleaſure of the mayor of the 'burgh aforeſaid, for the time being.

'Moreover, we have given and granted, 'confirmed and ratified, and by theſe pre-'ſents, for us, our heirs and ſucceſſors, do 'give, grant, confirm and ratify, to the 'foreſaid mayor, aldermen, burgeſſes and, 'commonalty of the burgh aforeſaid, and 'their ſucceſſors, all and ſingular ſo many, ſo 'great, ſuch, the ſame, ſuch like, and the 'very like courts of record, and other 'courts, juriſdictions, lands, tenements, 'meſſuages, eſcheats, goods and chattels, '*deodands*, *treaſure-trove*, wrecks of the ſea, '*flotſon*, *jetſon*, *legan*, liberties privileges, 'franchiſes, quittances, powers, authorities, 'immunities, cuſtoms, conſtitutions, court-'leets, *views of frank pledge*, fines, iſſues, amerciaments, recognizances, cuſtom,

'*murage*, *tronage*, meaſurage, groundage, '*ſaccage*, anchorage, pierage, keyage, pi-'lotage, *driage*, ballaſtage, profits, com-'modities, emoluments, forfeitures, fairs, 'markets, exemptions, rights and liberties, 'by land, ſea, ports, and freſh rivers, ap-'provements, goods, chattels, things, here-'ditaments, reverſions, remainders, intereſts, 'and demands, whatſoever, as and which 'the bailiffs, aldermen, burgeſſes and com-'monalty of the burgh aforeſaid, lately 'lawfully had, held, uſed and enjoyed, or 'which any of them, or their predeceſſors, 'by whatſoever name or names, or by what-'ſoever incorporation, or by the pretext of 'what incorporation ſoever, before this time, 'have lawfully had, uſed, or enjoyed, or 'ought to have, hold, uſe, or enjoy, by 'reaſon or pretext of any charters, or letters 'patent, by any of our progenitors or ance-'ſtors, late kings or queens of England, 'by what lawful means ſoever, before this 'time granted, made, or confirmed, or by 'what other lawful means, right, title, uſe, 'cuſtom, or preſcription ſoever heretofore 'uſed, had, or accuſtomed, and which, in 'or by theſe preſents, are not altered or

'changed

'changed, to have, hold and enjoy, to the 'aforeſaid mayor aldermen, burgeſſes and 'commonalty of the burgh aforeſaid, and 'their ſucceſſors for ever.

'Wherefore we will, and by theſe pre- 'ſents, for us, our heirs and ſucceſſors, 'firmly enjoining, do command that the 'mayor, aldermen, burgeſſes and commonalty 'of the burgh aforeſaid, and their ſucceſſors, 'may have, hold, uſe, and enjoy, and may 'and can be able to have, hold, uſe and en- 'joy, for ever, all the liberties, authorities, 'juriſdictions, franchiſes, exemptions, and 'quittances aforeſaid, and all and ſingular the 'premiſes, by theſe preſents, as is aforeſaid, 'granted or confirmed, or mentioned to be 'granted or confirmed, according to the tenor 'and effect of theſe our letters patent, with- 'out occaſion or impediment of us, our heirs 'and ſucceſſors, the juſtices, ſheriffs, eſcheat- 'ors, or other the bailiffs or miniſters of us, 'our heirs or ſucceſſors, whomſoever, will- 'ing that the ſame mayor, aldermen, bur- 'geſſes and commonalty of the burgh aforeſaid, 'or any of them, by reaſon of, the premiſes, 'or any of them, by us, our heirs and ſucceſſ- 'ors, the juſtices, ſheriffs or other the bailiffs 'or miniſters of us, our heirs or ſucceſſors,

'whomſoever, may not be thereof occaſion-
'ed, moleſted, grieved, or in any wiſe di-
'ſturbed.

'Laſtly we will, and by theſe preſents,
'for us, our heirs and ſucceſſors, do grant
'to the aforeſaid mayor, aldermen, burgeſſes
'and commonalty of the burgh aforeſaid,
'and their ſucceſſors, that theſe our letters
'patent, and all and ſingular things in the
'ſame contained, from time to time, may
'and ſhall be good, ſufficient valid, and
'effectual in law, according to the true in-
'tent of the ſame in all things, and ſhall be
'moſt beneficially and liberally expounded
'and conſtrued by all things, and for the
'greateſt commodity, profit, and advantage of
'the ſaid mayor, aldermen, burgeſſes and
'commonalty of the burgh aforeſaid, and
'their ſucceſſors, notwithſtanding in the not
'nominating, or not certainly or rightly
'nominating the aforeſaid premiſes, or any
'parcel thereof, in their proper natures,
'kinds, ſpecies, quantities, or qualities, and
'notwithſtanding in the not reciting, or not
'rightly, fully, or certainly reciting the char-
'ters and letters patent aforementioned, of
'our anceſtors or progenitors, late kings or
'queens of England, or in the not nominating,
'or not truly, or badly nominating the ſeveral

dates

'dates of the ſame ſeveral charters and letters 'patent, or the ſeveral articles or clauſes in 'the ſame, or in any of them, contained; 'and notwithſtanding in the not nominating 'or not reciting any other charters or letters 'patent of our anceſtors, late kings or queens 'of England, granted to the aforeſaid late 'bailiffs, aldermen, burgeſſes and commonalty 'of the burgh aforeſaid; or in the not nomi-'nating, or not truly or certainly nom nating 'the name or names of the body politic, and 'incorporation of the town and burgh afore-'ſaid, or either of them; and notwithſtand-'ing in the not nominating, or not confirm-'ing the modern officers or miniſters of the 'burgh aforeſaid, or any of them by their 'reſpective proper names or ſirnames; or by 'any other defect, incertitude, or other im-'perfection, in theſe preſents, or any other 'thing, cauſe, or matter whatſoever, not-'withſtanding.

'In witneſs whereof, we have cauſed theſe 'our letters to be made patent. Witneſs My-'ſelf, at Weſtminſter, the eleventh day of 'March, in the ſecond year of our reign.

'By writ of privy ſeal,
'COCKS.'

'The fine of our lady the queen, in her ha-'naper to be paid, is taxed at ten marks 'sterling.

'N. WRIGHT, C. S.'

By this charter, as we have before obſerved the town received its preſent form of government, the expences in procuring which, amounted to four hundred and twelve pounds nine ſhillings and ten pence.

We ſhall conclude this chapter with an authentic liſt of the bailiffs and mayors of Yarmouth, from the 53d of Henry III. (1269) to the preſent year, 1775.

A

A list of *Bailiffs* and *Mayors* of Yarmouth.

Reign of Henry III.

A. D.	A R,	
1269	53	Thomas de Horſeye. Oliver Wyth, Thomas Thurkyld, William de la Mawe ——
1270	54	Roger Talebot, William Alleyn, Robert Thurkyld, Richard Randolf —— —— ——
1271	55	William Gerbergh, John de Goſeford, Henry Aleyn, John Beneyt —— ——
1272	56	Iidem. —— —— —— ——

EDWARD. I.

1273	1	John Beneyt, John Brumnan, Richard Randolf, William de Acle —— ——
1274	2	Iidem —— —— ——
1275	3	William de la Mawe, William Aleyn, John Beneyt, John Goſeford —— ——
1276	4	Robert Vyth, William Gerbergh *clerk*, Richard de Beverle,

A. D.	A. R,	
		Beverle, Nicholas de Moneſle —— ——
1277	5	William de la Mawe, John Beneyt, John de Goſeford — *three only!* —— ——
1278	6	Iidem —— —— ——
1279	7	Iidem —— —— ——
1280	8	John Beneyt, Nicholas de Moneſle, William de Acle, Alexander Faſtolf —— ——
1281	9	William de la Mawe, John Beneyt, William Gerbergh, *clerk*, William Faſtolf— —— —
1282	10	Iidem, —— Henry Randolf, John Faſtolf, William Gerbergh, *clerk*,—— ——
1283	11	Idem, —— William Gerbergh, John Faſtolf, John Gerbergh —— ——
1284	12	Nicholas de Moneſle, William de Drayton, John Wyth, Richard de Drayton—— ——
1285	13	Alexander Faſtolf, John Wyth, Henry Randolf, Stephen de Ho —— —— ——
1286	14	—— —— —— ——
1287	15	—— —— —— ——
1288	16	William Gerbergh, John Wyth, Alexander Faſtolf, Henry de la Mawe —— ——
1289	17	Alexander Faſtolf, Richard de Beverle, John de Fordele, Henry de Drayton—— ——
1290	18	William de Drayton, John Wyth, John Faſtolf, Richard Randolf, —— —— ——
1291	19	Richard de Moneſle, Alexander Faſtolf, John de Fordele, Thomas Faſtolf —— ——
1292	20	John Wyth, John Faſtolf, John Gerberge, William de la Mawe —— ——
1293	21	Alexander Faſtolf, Henry de Drayton, John de Fordele, Henry de la Mawe —— ——
1294	22	John Wyth, Thomas Clericus, Nicholas le Feter, William de Goſeford —— ——
1295	23	Thomas Faſtolf, Euſtace Batalle, Laurence de Moneſle, William de Carleton —— ——
1296	24	Alexander Faſtolf, John de Fordele, William de la Mawe, William Science —— ——

1297

A.D.	A. R.	
1297	25	Robert Wyth, John Faſtolf, John Roſe, Henry de Drayton ——— ———
1298	26	John Wyth, Thomas Faſtolf, John Alleyn, John de Fordele ——— ——— ———
1299	27	Henry Roſe, Henry de Somerleton, *clerk*, Stephen de Goſeford, Nicholas Aſhman ——— ———
1300	28	John Wyth, Henry de Drayton, Oliver de la Mawe, Robert de Fordele ——— ———
1301	29	Henry Roſe, John de Fordele, Richard Randolf, Euſtace Batalle ——— ———
1302	30	Idem ——— William Faſtolf, John Faſtolf, ſenr. Robert de Beverle ——— ———
1303	31	William de la Mawe, Euſtace Batalle, Nicholas le Potter, Richard Faſtolf ——— ———
1304	32	John Faſtolf, ſenr. Richard Randolf, John de Fordele, William Science ——— ———
1305	33	Henry Roſe, William Faſtolf, Thomas Faſtolf, Roger Gavel ——— ——— ———
1306	34	Idem ——— Henry de Drayton, William de Goſeford, Robert de Fordele ———

EDWARD. II.

1307	1	Henry Roſe, Richard Randolf, jun. Robert de Fordele (or Robert Elys de Fordele) Nicholas Aſhman ——— ——— ———
1308	2	John Faſtolf, jun. John de Fordele, Euſtace Batalle, Thomas Faſtolf, ——— ———
1309	3	Henry Roſe, Henry de Drayton, Robert de Drayton, Roger Gravel ——— ———
1310	4	Richard Randolf, Richard Faſtolf, William le Potter, Roger de Thurnton ——— ———
1311	5	Euſtace Batalle, Oliver de la Mawe, Seman de la Sond, William de Moneſle ——— ———
1312	6	Robert de Fordele, Richard Randolf, Roger de Thurnton,

A. D.	A. R.	
		Thurnton, John de Perebrown —— ——
1313	7	Idem —— Oliver de la Mawe, John Perebrown —— Simon de Dighton —— ——
1314	8	William de la Mawe, Roger de Thurnton, Jeffery de Drayton, Matthew de Redeham ——
1315	9	Robert de Fordele, Richard Randolf, Robert de Drayton, Seman atte Sond —— ——
1316	10	Idem, —— William Thurkeld, Farman Alberd, Robert Aſhman —— ——
1317	11	Idem, —— Roger de Thurnton, John Perebrown, Alexander Faſtolf —— ——
1218	12	Henry Roſe, William de la Mawe, Roger de Gavel, John de Acle —— ——
1319	13	Roger de Gavel, John Perebrown, Barth. de Thorp, Anſelem de Fordele, —— ——
1320	14	Iidem —— ——
1321	15	Robert de Drayton, John Perebrown, Stephen de Catfield, William de Lincoln —— ——
1322	16	Robert de Fordele, Jeffery de Drayton, Robert Aſhman, Robert de Gimingham —— ——
1323	17	Henry Roſe, Roger de Gavel, Roger de Drayton, Anſelm de Fordele, —— ——
1324	18	John Perebrown, Barth. de Thorp, Alexander Faſtolf, Robert Aſhman —— ——
1325	19	Idem, —— Edmund Gerberge, John de Acle, Farman Alberd —— ——
1326	20	Robert de Drayton, John Perebrown, Anſelm de Fordele, Walter atte Sond —— ——

EDWARD III.

1327	1	Barth. de Thorp, John de Acle, Walter atte Sond, Robert Aſhman —— ——
1328	2	John Perebrown, Robert de Drayton, Stephen de Catfield, Robert de Fordele —— —— ——
1329	3	Jeffery de Drayton, Stephen de Catfield, Barth. de Thorp,

Thorp, Walter atte Sond ——— ———

1330 4 Robert de Drayton, John Perebrown, Alexander Faſtolf, Robert de Fordele ——— ———

1331 5 John Perebrown, Richard Faſtolf, Walter atte John Chyld ——— ———

1332 6 Idem, ——— Alexander Faſtolf, Robert Elys, Thomas de Drayton, ——— ———

1333 7 Barth. de Thorp, Anſelm de Fordele, William de Moneſſe, Henry Randolf ——— ———

1334 8 John Perebrown, Richard Faſtolf, Thomas de Drayton, Robert Elys ——— ———

1335 9 Alexander Faſtolf, Thomas de Drayton, Walter atte Sond, John Elys ——— ———

1336 10 Jeffery de Stalham, Nicholas Faſtolf, Thomas de Drayton, Barth. de Thorp ——— ———

1337 11 Walter atte Sond, Anſelm de Fordele, Robert de St. Botolph, Richard de Wymondham ———

1338 12 Barth. de Thorp, Walter atte Sond, Richard de Beketon, William de Motte ———

1339 13 John Perebrown, Alexander Faſtolf, Thomas de Drayton, Stephen de Catfield ———

1340 14 Thomas de Drayton, Barth de Thorp, Jeffery de Stalham, Jeffery Trote ——— ———

1341 15 Barth de Thorpe, Edmund Gerberge, Richard Latoner, Peter Creſſy ——— ———

1342 16 Iidem ——— ——— ———

1343 17 Iidem ——— ——— ———

1344 18 Richard de Beketon, Edmund Gerberge, Richard Latoner, Richard de Broxton ——— ———

1345 19 Jeffery de Stalham, William Motte, Jeffery Elys, Richard de Walſham ——— ———

1346 20 Richard de Beketon, Roger de Broxton, Richard Latoner, Richard de Wymondham ———

1347 21 Jeffrey Elys, Jeffery de Stalham, Richard de Wramplyngham, John le Neve ——— ———

1348 22 Richard de Beketon, Robert Aſhman, Simon de Halle, Jeffery de Fordele ——— ———

1349 23 Idem ——— Roger de Broxton, Jeffery de Fordele, Thomas Cobald ——— ———

1350

A. D.	A. R.	
1386	10	William atte Gappe, Edmund Oudolf, Richard Elys, Edmund Bie,
1387	11	John Elys, William Oxneye, Robert Howlyn, John de Martham
1388	12	John de Beverle, Robert atte Gappe, Barth. de Drayton,
1389	13	Ralph Ramſeye, Roger Drayton, Hugh atte Fen, Thomas Marche
1390	14	William atte Gappe, Alexander Faſtolf, Nicholas de Drayton, John, Hakon,
1391	15	John Elys, William de Oxneye, Barth. Elys, Robert Howlyn
1392	16	John de Beverle, John Elys, jun. John Hugheſſon, William Eccles
1393	17	Ralph Ramſeye, John de Beketon, Hugh atte Fen, Barth. de Drayton
1394	18	Thomas Marche, John atte Gappe, William Savage, Edmund Wyth
1395	19	John Elys, ſen. William Oxneye, John Hakon, Richard Claye
1396	20	Ralph Ramſeye, Hugh atte Fen, Barth. Elys, Barth. de Drayton
1397	21	John Beketon, William Oxneye, Thomas Marche, Thomas Halle
1398	22	Ralph Ramſeye, Hugh atte Fen, John atte Gappe, Richard Claye.

HENRY. IV.

1399	1	John Elys, William Oxneye, Barth de Drayton, Robert atte Fen
1400	2	Hugh atte Fen, John Hugheſſon, Edmund Wyth, Thomas Carter
1401	3	William Oxneye, John Beketon, Richard Claye, Roger Adams
1402	4	Hugh atte Fen, John atte Gappe, Barth. Elys, William

William Savage ——— ——— ———

1403 5 John Beketon, William Oxneye, Richard Claye, Alexander atte Gappe ——— ———

1404 6 John atte Gappe, John Hughſon, William Savage, Thomas White, ——— ———

1405 7 Hugh atte Fen, William Oxneye, Barth. Elys, Barth. de Drayton ——— ———

1406 8 John atte Gappe, Richard Claye, Jeffery Pampyng, Henry Rafman, ——— ———

1407 9 Hugh atte Fen John Hughſon, Thomas Redberd, John Spitlyng ——— ———

1408 10 William Oxneye, Barth. Elys, Robert Elys, Thomas Glaveyn ——— ———

1409 11 Henry Rafman, Edmund Wyth, Alexander atte Gappe, Ralph Leffyn ——— ———

1410 12 John Hughſon, Jeffery Pampyng, John Freeman, Thomas Conehithe, ——— ———

1411 13 Richard Claye, Thomas White, Nicholas Cates, John Cranelee ——— ———

1412 14 William Oxneye, jun. Robert Elys, Thomas Clabeyn, John Soterton ——— ———

HENRY V.

1413 1 Jeffery Pampyng, Robert Elys, jun. Thomas Conehithe, William Colkirke, ——— ———

1414 2 Barth. Elys, Richard Claye, Peter Savage, John Fenn ——— ——— ———

1415 3 Edmund Wyth, Thomas White, Ralph Leffyng, Henry Spitlyng, ——— ———

1416 4 Robert Elys, jun. John Spitlyng, Thomas Conehithe, Barth. Oxneye ——— ———

1417 5 Barth. Elys, John Fenn, John Haſtyng, John Soterton ——— ——— ———

1418 6 Thomas Dengayne, Jeffery Pampyng, Thomas White, Richard Elys ——— ———

1419 7 Alexander atte Gappe, John Spitlyng, Thomas

Conehithe, Robert Cupper —— ——

1420 8 John Leveryth, John Haſtyng, John Snelling Thomas Eyr. —— ——

1421 9 Bartholomew Elys, John Cranelee, Roger Hoddes, Ralph Wevan —— —— ——

HENRY VI.

1422 1 Robert Elys, William Oxneye, Robert Cupper, William atte Fen —— ——

1423 2 Richard Elys, Thomas Conehithe, Thomas White, William atte Gappe —— ——

1424 3 Thomas Dengayne, Eſq; John Haſtyng, John Spitlyng, John Pynne —— ——

1425 4 Robert Cupper, Roger Hoddes, Thomas Eyr, Richard Flicke —— —— ——

The annual Election of four Bailiffs ends here.

A.D. A.R.

A. D.	A. R.	
1426	5	Robert Elys, William Oxneye, — — —
1427	6	Richard Elys, John Manning — — —
1428	7	Thomas Dengayne, Thomas White — —
1429	8	Robert Elys, Thomas Eyr — — —
1430	9	Richard Elys, John Pynne — —
1431	10	Idem — — — —
1432	11	Robert Elys, Thomas atte Fenn — —
1433	12	Idem — John Haſtyng — — —
1434	13	Robert Hoddes, John Philip — — —
1435	14	John Widwell, John Chapman — — — —
1436	15	John Pynne, John Phelyſſon — — —
1437	16	Robert Elys, Thomas Humphrey — — —
1438	17	William atte Gappe, Thomas Martyn — —
1439	18	Robert Pynne, John Auncel — — —
1440	19	Thomas Fenn, Simon Folſham — —
1441	20	Roger Hoddes, Thomas Hall — — —
1442	21	Robert Elys, John Chapman — — — —
1443	22	John Pynne, Peter Dowe — — —
1444	23	Ralph Lampet, William atte Gappe — —
1445	24	Haman Pulham, John Auncel — —
1446	25	Robert Martyn, Simon Folſham — —
1447	26	Thomas Fenn, Robert Pynne, — —
1448	27	Thomas Hylls, John Swoll — — —
1449	28	John Chapman Peter Dowe — — —
1450	29	Ralph Lampet, Haman Pulham — —
1451	30	Robert Pynne, Edmund Wydewell — —
1452	31	Thomas Martyn, John Weſtgate — —
1453	32	Thomas Fenn, John Alman — — —
1454	33	Ralph Lampet, Haman Pulham — — —
1455	34	Peter Dowe, Thomas Kyſſe — — —
1456	35	Edmund Wydewell, Alexander Brygate — —
1457	36	Thomas Fenn, John Pynne — — — —
1458	37	Robert Pynne; John Alman — — —
1459	38	Haman Pulham, John Codlyng — — —
1460	39	William Julles, Thomas Thorpe, Eſqs; — —

EDWARD IV.

A. D.	A. R.	
1461	1	Ralph Lampet, Thomas Iryng,
1462	2	Edmund Wydewell, Thomas Pond
1463	3	Idem —— John Peers
1464	4	Idem, John Pynne
1465	5	Haman Pulham, John Alman
1466	6	John Ruſs, William Baldock
1467	7	John Peers, John Ruſse,
1468	8	Edmund Wydewell, Robert Redhood
1469	9	Robert Baſſet, William Aldryche
1470	10	John Ruſſe, Roger Crowmer
1471	11	Idem
1472	12	John Peers, Thomas Pond
1473	13	John Alman, John Mowe
1474	14	Edmund Wydewell, Thomas Thoryſby
1475	15	John Ruſſe, William Aldryche
1476	16	Idem —— John Cofeld
1477	17	Idem —— and John Peers Eſq: elected on Cofeld's death.
1478	18	Edmund Thoryſby, Thomas Glays
1479	19	Robert Crowmer, Robert Mychell
1480	20	John Peers, John Frank
1481	21	Robert Crowmer, John Tanne.
1482	22	Idem —— Eſqs:

RICHARD III.

1483	1	Robert Crowmer, John Holme
1484	2	Robert Mychell, Robert Eſton, Eſqs:

HENRY

HENRY VII.

A. D.	A. R.	
1485	1	John Ruſſe, John Wagſtaffe
1486	2	William Aldrych, William Watſon
1487	3	John Peers, William Albon
1488	4	John Tanne, Robert Barett
1489	5	Robert Crowmer, Robert Aſhton
1490	6	Idem —— John Wagſtaffe
1491	7	Chriſtopher Moye, John Bedingham
1492	8	Thomas Bloys, John Borell
1493	9	William Albon, John Holme
1494	10	John Tanne, ſen. William Patynſon
1495	11	Robert Aſhton, William Watſon
1496	12	Robert Bareſt, ſen. Robert Albon
1497	13	Robert Crowmer, Iohn Eton
1498	14	John Bedyngham, Robert Taſburgh
1499	15	Chriſtopher Moye, Edmund Cooper
1500	16	William Patenſon, John Wacy
1501	17	Richard Hoſteler, Henry Bemond
1502	18	Jeffery Davy, John Lovegold
1503	19	John Borell, Robert Albon
1504	20	John Eton, Robert Taſburgh
1505	21	Edmund Cooper, Stephen Watſon
1506	22	Thomas Banyard, William Aldrych
1507	23	Robert Byſhop, John Doubleday
1508	24	John James, Henry Plumſtead, Eſqs:

HENRY VIII.

1509	1	Henry Bemond, John Garton
1510	2	Thomas Ufforth. Richard Palmer

1511

A. D.	A. R.	
1511	3	Edmund Cooper, William Backton
1512	4	John Lavyle, Richard Byſhop
1513	5	John Doubleday, Robert Edmunds
1514	6	Henry Ilberd, William Byſhop
1515	7	Simon Oldryng, Thomas Betts
1516	8	John Palmer, William Smyth
1517	9	John Garton, Ralph Dene
1518	10	William Backton, William Shave
1519	11	John Lovegold, Richard Byſhop
1520	12	William Byſhop, Robert Alyſaunder
1521	13	John Lavyle, John Doubleday
1522	14	Henry Ilberd, Thomas Betts
1523	15	John Palmer, Thomas Garton
1524	16	John Ladde, Thomas Glaydon
1525	17	Simon Oldryng, William Wellys
1526	18	Ralph Denne, William Burgh
1527	19	William Byſhop, William Shave
1528	20	Robert Alyſaunder, Robert Peers
1529	21	Robert Taſburgh, John Kent
1530	22	John Lavyle, John Stevynſon
1531	23	Samuel Richman, Henry Firmage
1532	24	Thomas Betts, Richard Firmage
1533	25	John Palmer, Richard Buck
1534	26	Philip Barnard, Miles Kene
1535	27	William Burgh, Richard Rotherham
1536	28	Ralph Denne, William Welles
1537	29	Henry Firmage, Thomas Echard
1538	30	William Shave, Ralph Aſhley
1539	31	Simon Richman, William Byſhop
1540	32	Thomas Betts, William Stylyard
1541	33	Chriſtopher Heylett, Simon Moore
1542	34	Gilbert Gryce, William Denne
1543	35	John Lavyle, Richard Buck
1544	36	William Burgh, Thomas Echard
1545	37	Ralph Aſhley, William Woolhouſe
1546	38	Cornelius Bright, John Canon, Eſqs:

EDWARD VI.

A, D.	A. R.	
1547	1	William Welles, John Crowe
1548	2	William Byſhop, Simon Moore
1549	3	John Myllicent, Nicholas Fenn
1550	4	Thomas Betts, William Garton
1551	5	William Mahowe, Nicholas Firmage
1552	6	Chriſtopher Heylott, John Echard, Eſqs:

QUEEN MARY

1553	1	William Denne, Thomas Hunt
1554	2	Robert Eyre, John Crowe
1455	3	Thomas Gardiner, Robert Drawer
1556	4	Cornelius Bright, William Harbrown
1557	5	Richard Oldryng, Matthew Wytt
1558	6	Thomas Nicholſon, Ralph Woolhouſe, Eſqs

QUEEN ELIZABETH.

1559	1	Thomas Garton, Allen Couldham
1560	2	William Garton, Edmund Moon
1561	3	Simon Moor, John Parſey
1562	4	Anthony Loveday, John Groſs
1563	5	Nicholas Fenn, Nicholas Kene
1564	6	Cornelius Bright, Auguſtine Peers
1565	7	John Echard, John Ladd
1566	8	Chriſtopher Sylles, Benedt. Cubitt
1567	9	Ralph Woodhouſe, Thomas Betts
1568	10	Thomas Garton, John Wakeman

A. D.	A. R.	
1569	11	John Ufford, Amb. Bullward
1570	12	Edmund Baldrey, Thomas Smyth
1571	13	John Groſſe, Thomas Smyth ſen.
1572	14	William Harebrown, Ralph Thompſon
1573	15	John Bacon, George Meeke
1574	16	John Echard, John Harding
1575	17	John Goſtling, William Liſter
1576	18	Auguſtine Peers, Thomas Echard, and on the death of the latter, John Felton elected
1577	19	John Wakeman, Thomas Damett
1578	20	Bened. Cubitt, John Couldham
1579	21	Ralph Woolhouſe, John Gyles
1580	22	John Groſſe, John Bradiſh
1581	23	Thomas Harris, John Harbottle
1582	24	John Bartlemews, John Thrower
1583	25	Chriſtopher Dewe, Henry Stanton
1584	26	Roger Drury, William Muſgrave
1585	27	John Felton, Jeffery Ponyett
1586	28	John Wakeman, John Greenwood
1587	29	John Couldham, John Yonges
1588	30	Auguſtine Peers, Benedt. Cubitt
1589	31	James Johnſon, John Wheeler
1590	32	Ralph Woolhouſe, John Harris
1591	33	John Thrower, Gregory Gooſe
1592	34	Thomas Damett, Thomas Foſter
1593	35	Roger Drury, Thomas Mortimer
1594	36	Henry Stanton, William Crowe
1595	37	John Bartlemews, William Yonges, and on the death of the latter, Jeffery Ponyett elected
1596	38	John Couldham, Henry Ebbotts
1597	39	John Yonges, Richard Moodyng
1598	40	John Wheeler, Thomas Buttolphe
1599	41	John Felton, Thomas Manfield
1600	42	John Thrower, Iſaac Cooper
1601	43	Thomas Foſter, John Bennett
1602	44	Thomas Damett, Thomas Cotty, Eſqs:

JAMES I.

A. D.	A. R.	
1603	1	Henry Stanton, John Gyles
1604	2	Jeffery Ponyett, William Graye
1605	3	Thomas Mortymer, William Younges
1606	4	William Crowe, John Crowland
1607	5	John Couldham, Gregory Gooſe
1608	6	Thomas Buttolph, Thomas Gyles
1609	7	John Wheeler, Benjamin Cooper
1610	8	Iſaac Cooper, Auguſtine Yonges
1611	9	Robert Scarth, Robert Robins
1612	10	John Greenwood, George Hardware
1613	11	John Geyes, Nicholas Bright
1614	12	Thomas Thompſon, Titus Hardwarde
1615	13	John Echard, John Warren
1616	14	Edmund Groſſe, Edmund Owner
1617	15	William Graye, Thomas Meadows
1618	16	Benjamin Cooper, Godfrey Wilgres
1619	17	Iſaac Cooper, Nicholas Cuttinge
1620	18	Jeffery Neve, Ezechias Harrys
1621	19	George Hardware, Robert Stevenſon
1622	20	John Gyles, John Rowe
1623	21	Thomas Thompſon, Leond. Holmes
1624	22	John Trendle, Thomas Johnſon, Eſqs:

CHARLES I.

1625	1	Edmund Owner, Robert Norgate
1626	2	John Echard, Robert Sayer
1627	3	John Warren, Henry Davy
1628	4	Benjamin Cooper, William Buttolph
1629	5	Robert Norgate, Thomas Meadowe
1630	6	Nicholas Cuttinges, John Stephenſon

1631

1631	7	Ezechias Harris, Thomas Green
1632	8	Thomas Thompſon, Gyles Call
1633	9	Godfrey Wilgres, Thomas Crane
1634	10	Edward Owner, Leond. Holmes
1635	11	Thomas Iohnſon, Robert Sayer
1636	12	John Warren, John Lucas
1637	13	Henry Davy, John Robins
1638	14	Thomas Medowe, Thomas Manthorpe
1639	15	Robert Norgate, Anthony Speck
1640	16	Thomas Green, Robert Wakeman
1641	17	John Carter, Robert Gower
1642	18	Gyles Call, John Symonds
1643	19	Thomas Crane, Robert Ferrier
1644	20	Thomas Johnſon, Thomas Gooch
1645	21	John Rowe, Nicholas Cuttinge
1646	22	Edward Owner, Charles Gooch
1647	23	Thomas Manthorpe, Iſrael Ingram
1648	24	Thomas Medowe, William Lucas, Eſqs:

CHARLES II.

Including the time in which *Oliver Cromwell* was declared Protector of the Commonwealth.

1649	1	Thomas Felſtead, William Burton
1650	2	Jeffery Ward, Auguſtine Thrower
1651	3	John Carter, George Spillman
1652	4	Robert Harmer, John Arnold
1653	5	Nathaniel Aſhby, Iſaac Preſton
1654	6	John Harmer, Chriſtopher Steygold
1655	7	Robert Robins, John Albertſon
1656	8	Thomas Gooch, Thomas Bendiſh

A.D.	A.R.	
1657	9	George England, John Cooper
1658	10	Thomas Lucas John Woodroffe
1659	11	William Burton, William Emperor
1660	12	Nicholas Cutting, James Symonds
1661	13	Jeffery Ward, Abr. Caſtell, Eſqs: and on the former being degraded by act of parliament, Thomas Tilyard elected
1662	14	Sir Thomas Medowe, Knt. Arth. Bacon,
1663	15	John Hall, Richard Jermyn
1664	16	Thomas Pupplett, John Cubitt, and on the latter's death, Nath. Aſhbye elected.
1665	17	Robert Mychelſon, William Bateman
1666	18	Edmund Thaxter, Richard Huntingdon
1667	19	George England, Michael Tills
1668	20	John Woodroffe, Thomas Dunn
1669	21	John Rowe, Peter Caulier
1670	22	Henry Church, Mitchel Mew, Eſqs:
1671	23	Sir Thomas Medowe, Knight. Geo. Ward
1672	24	Abr. Caſtell, Samuel Fenn
1673	25	John Hall, Abr. Caſtell, jun.
1674	26	Thomas Gooch, Thomas England
1675	27	Edmund Thaxter, Thomas Bradford
1676	28	Richard Huntington, Benjamin England
1677	29	John Woodroffe, Nicholas Cuttinge
1678	30	John Caulier, John Robins
1679	31	William Coſh, Samuel Fuller
1680	32	Jeffery Ward, John Ferrier
1681	33	Mitchel Mew, Thomas Gooch, Eſqs:
1682	34	Sir Thomas Medowe Knt. Nath. Symonds
1683	35	George Ward, Thomas Godfrey Eſqs.
		A MAYOR, by charter, inſtead of *two Bailiffs.*
1684	36	Sir Thomas Medowe, Knight

JAMES

JAMES II.

MAYORS continued

A. D.	A. R.	
1685	1	Thomas Bradford ——
1686	2	Samuel Fenn —— ——
1687	3	Mitchell Mew —— ——
1688	4	Iohn Albertſon, Eſqs: ——

BAILIFFS again by general proclamation.

To November 8, 1688 George Ward, Thomas Godfrey, Eſqs. thence —— —— ——
To September 29, 1689 Benjamin England, Iohn Gayford, Eſqs. —— —— —— ——

WILLIAM and MARY.

1689	1	Thomas England, Gabriel Ward ——	
1690	2	Iohn Andrews, Anthony Ellys ——	—
1691	3	Richard Ferrier, Robert Bernard ——	—
1692	4	Iohn Robins, Thomas Lovell ——	
1693	5	Nathaniel Symonds, Benjamin Engle	
1694	6	Ioſeph Cotman, Iohn Carlowe ——	
1695	7	Anthony, Elys, jun. George Spillman jun.	
1696	8	Thomas Godfrey, Richard Ferrier —	
1697	9	Benjamin England, Thomas — —	—
1698	10	Samuel Fuller, Iohn Spurgeon ——	—
1699	11	Anthony Elys, William Spooner ——	—
1700	12	Gabriel Ward, James Artis ——	—

A. D. A. R.

1701 13 William Brown, Henry Barrett, Esqs: ———

QUEEN ANNE.

1702 1 Benjamin Engle, Iohn Davison, Esqs.

MAYORS again, by charter.

Benjamin Engle, Esq: this year, to September 29.

1703 2 Benjamin England. — —
1704 3 Ioseph Cotman ——— — ———
1705 4 Anthony Elys jun — — —
1706 5 Richard Ferrier — — — — —
1707 6 Samuel Fuller ——— ———
1708 7 Anthony Elys — ———
1709 8 William Browne — ——— —
1710 9 Iames Artis —— ——— ———
1711 10 Henry Borrett, and — — —
on his death, Sam. Wakeman — — —
1712 11 Iohn Spurgeon —— ———
1713 12 WilliamSpooner, Esqs — — ———

GEORGE I.

1714 1 Andrew Bracey — ———
1715 2 George England — — — ———
1716 3 Iohn Ireland ——— ——
1717 4 Thomas le Grice — ——
1718 5 Ionathan Pue ——— — ———
1719 6 Anthony Elys ——— —— —
1720 7 Richard Ferrier — ——— ——
1721 8 Christopher Brightin ——— ———
1722 9 William Pacey —— ———
1723 10 Iohn Pearson ——— ———
1724 11 Richard Ferrier jun. — ——

1725

A. D.	A. R.	
1725	12	Henry Lombe
1726	13	Nath. Symonds, Esqs:

GEORGE II.

1727	1	Samuel Artis
1728	2	George Ward
1729	3	Robert Ward
1730	4	John Bird
1731	5	Anthony Taylor
1732	6	Thomas Cooke
1733	7	William Brown
1734	8	Barry Love
1735	9	Samuel Wakeman
1736	10	John Parson
1737	11	Thomas Milles
1738	12	Thomas Horsley
1739	13	Thomas Ellys
1740	14	Christ. Bernard, and on his death Geo. Ward
1741	15	William Harmer
1742	16	John Cotman
1743	17	Joseph Neech
1744	18	Wm. Browne, sen.
1745	19	Joseph Cotman
1746	20	Samuel Killett
1447	21	Thomas Martin
1748	22	William Browne
1749	23	Robert Abbon
1750	24	Robert Ferrier
1751	25	James Ward
1752	26	Christ. Taylor, & on his death, Giles Wakeman
1753	27	Wm. Butcher
1754	28	Richard Baker
1755	29	John Cotman
1750	30	William Browne
1757	31	Joseph Cotman
1758	32	Giles Wakeman
1759	33	Joseph Cotman
1760	34	John Ramey, Esqs.

GEORGE III.

A.D.	A. R.	
1761	1	Thomas Martin
1762	2	John Barnby
1763	3	John Goſlin Love
1764	4	Richard Moyſe
1765	5	John Norfor
1766	6	William Fiſher
1767	7	John Fiſher
1768	8	Robert Lancaſter
1769	9	Richard Baker
1770	10	Colman Manclarke
1771	11	Anthony Taylor
1772	12	Henry Gooch
1773	13	John Ramey
1774	14	James Fiſher, Eſqs.

CHAP. VI.

Of certain ancient uſages and cuſtoms of the burgh of Yarmouth, obſerved and kept by the burgeſſes time immemorial.

THESE articles, extracted from the ancient records of the burgh, appear to be founded on the particular grants to, and privileges of the burgeſſes, who are ſtrictly enjoined to as inviolable an obſervance of them, in every reſpect, as of any of the articles of their charters, without connivance or partiality to any perſon whatſoever.

ARTICLE I.

Deeds enrolled in the court-roll of the burgh, to be valid, the ſame as if enrolled in any of the king's courts at Weſtminſter.

" That every deed made and ſealed for the conveyance and aſſurance of any houſes, lands, or tenements lying within that burgh, by all and every perſon or perſons having right and lawful intereſt to convey and aſſure the ſame

ſame, being of the full age of twenty one years, with ſtate and ſeiſin executed by force thereof, and every bargain by indenture, with ſtate and ſeiſin ſo executed, the which ſhall afterwards be acknowledged by the parties, donors, or feoffors, before the bailiffs of the ſaid burgh, for the time being, or before one of them, and this matter of acknowledgment ſhall appear of record, to be enrolled in the court roll of the ſaid burgh, either with recital of ſuch knowledge, made before one or both bailiffs, that every ſuch deed and indenture ſo acknowledged and enrolled, ſhall be a good and perfect aſſurance in law, to the uſe expreſſed therein, and as ſtrong and effectual in the donees and feoffees, as if the ſame had been done by deed acknowledged and enrolled in any of the king's courts at Weſtminſter.

" And altho' the ſame deed or indenture be not afterwards extant, to be ſhewed forth, but be either burnt or loſt, yet nevertheleſs the record of the ſaid deed or indenture, in the ſaid court-rolls, ſhall be accepted, and taken as good and perfect aſſurance in law, to the donees and feoffees, and their heirs, to the uſes therein mentioned againſt the donor or feoffor, and their heirs, by the cuſtom of

the ſaid burgh, for ever. And the uſe of the deed or indenture enrolled, ſhall be preferred before that which is not enrolled".

II.

Examination of married women, before one or both bailiffs, upon transferring their right.

" That every woman covert, having an eſtate of inheritance, or intereſt, for term of life, or in fee ſimple, either in her own right alone, or jointly with her huſband, or with any other perſon or perſons, in or to any houſes, lands, or tenements, being within the burgh aforeſaid, who ſhall paſs a deed thereof, with herſaid huſband, unto any manner of perſon or perſons whatſoever, either with livery and ſeiſin thereupon executed, or without livery and ſeiſin; if that afterward the ſaid woman covert, with her huſband, ſhall come before the bailiffs of the ſaid burgh, for the time being, or before one of them, and ſhall acknowledge the ſame to be their deed. And the ſaid woman covert thereupon, being ſolely examined by the ſaid bailiffs, or one of them, and that this matter of knowledge and examination taken, ſhall appear of record, to be enrolled in the court-rolls of the ſaid burgh, either with recital

cital of ſuch knowledge and examination to have been taken before one bailiff or before both bailiffs; then, by the cuſtom of this burgh, if the huſband and wife be of full age, the ſaid record and enrollment ſhall be a good and perfect aſſurance in the law, for the parties, donees, and feoffees, and their heirs, to the uſes expreſſed in the ſaid deed and enrollment for ever. And that as well the ſaid woman covert and her heirs, as her ſaid huſband and his heirs, ſhall from henceforth, by force of the ſaid record and enrollment, be utterly excluded and debarred of all manner of intereſt, right, and title, of in and to the ſaid lands, houſes and tenements, and every parcel of them, by cuſtom of the burgh, for ever. And this cuſtom has always been uſed in the nature of a fine at common law".

III.

Releaſes enrolled debar the releaſor.

"That every releaſe of houſes or tenements, being within that burgh, made by every perſon or perſons being men or women unmarried, and being of full age, acknowledged and enrolled in ſuch manner, and

form as is above declared, ſhall be of the ſame force and effect in law, for debarring the right and title of the releaſors and of their heirs, as the ſaid deed enrolled, and the record thereof, by cuſtom of the burgh, for ever."

IV.

A Woman's releaſe of dower &c. enrolled, debars her for ever.

"Every woman covert, having only her title of dower in any houſes, lands, or tenements, within the ſaid burgh, who ſhall come with her huſband, in his lifetime, before the bailiffs of the ſaid burgh, or before one of them, and ſhall make her releaſe of in and to the ſaid houſes, lands, or tenements, either by writing ſealed, or without writing, ſo as the ſame releaſe, ſolely examined, before the bailiffs, for the time being, or before one of them; and that this matter and act ſhall afterwards be enrolled in the court-rolls of the ſaid burgh; then this ſaid woman ſhall from henceforth be utterly excluded and debarred by the ſaid record

record, to have her ſaid title of dower therein for ever. Yea, although at the time of ſuch examination taken, ſhe be not of the age of 21 years, by the ancient cuſtom of this burgh.

"And moreover the cuſtom is, that if a woman, being a widow, only for her title of dower, ſhall in her widowhood come before the bailiffs, for the time being, or before one of them, and ſhall make her releaſe of any lands or tenements within the ſaid burgh, wherein ſhe claimeth only by force of her dower, and this act of hers being enrolled of record in the court-rolls of the ſaid burgh, altho' at the time of her making her releaſe, as aforeſaid, ſhe be not of the age of 21 years, yet in this caſe, for her ſaid dower, ſhe ſhall be utterly excluded and debarred from all intereſt and title to be claimed for ever, by force of the ſaid record and enrollment."

V.

A wife to have her thirds, enfeoffed in houſes, &c. by her huſband, if not releaſed.

"By the cuſtom of this burgh, although the wife before her marriage be enfeoffed in

any houſes, lands, or tenements, by the huſband, or that after the marriage between them, the huſband doth purchaſe any houſes, lands, or tenements, and cauſe the ſame to be aſſured to him and his wife jointly, or to his wife and others; yet notwithſtanding feoffments or aſſurances whatſoever; if the wife outlive her ſaid huſband, ſhe ſhall not be barred by reaſon of any ſuch feoffments or aſſurances, to claim and recover the third part of any other lands, houſes or tenements within the ſaid burgh, whereof her huſband was ſole ſeized in his demeſne, as of fee, during the time of her marriage between them. Provided always that for ſo many thereof as the wife, by examination taken before the bailiffs, for the time being, or before one of them, has releaſed to any other perſon or perſons, the ſame matter remaining of record, to be ſeen in the court-rolls of the ſaid burgh; that then ſhe ſhall be utterly debarred, and excluded of her ſaid title of dower therein, by the cuſtom of this burgh for ever."

VI.

VI.

A will enrolled within a year and a day is a good title to all the claimants, the widow having her dower.

"The cuſtom of this burgh hath of ſo long continuance been, that every perſon being ſole ſeized of any houſes, lands, or tenements, within the burgh, by an eſtate in fee ſimple, may, by his teſtament and laſt will, give and deviſe the ſame, he being of full age and perfect memory at the time of making the ſame teſtament and laſt will. And moreover, the cuſtom of the burgh is, that if ſuch a teſtament and laſt will be, within one year next after the death of the teſtator, brought before the bailiffs, by the executor, or by any other creditable perſon, which ſhall have ſuch teſtament and laſt will in keeping, and it be required of the bailiffs that the ſaid teſtament and laſt will may be enrolled of record in the court-roll of the ſaid burgh, that then the ſaid bailiffs ſhall, upon the oaths of two creditable witneſſes to the ſaid teſtament and laſt will, at the leaſt, cauſe the ſaid teſtament and laſt will, to be enrolled by the ſteward amongſt the court-rolls of the ſaid burgh, together

together with the teſtimony of the witneſſes to the ſaid will to be produced before them; and that by force of the ſaid teſtament and laſt will, enrolled and recorded, as is above mentioned in the ſaid teſtament and laſt will, ſhall be uſed, enjoyed, poſſeſſed, and recovered, according to ſuch uſes and intents, as are mentioned and expreſſed in the ſaid teſtament and laſt will, according to the true meaning of the teſtator. And further, that the ſaid teſtament and laſt will, being recorded and enrolled in manner and form aforeſaid, ſhall be a good and lawful aſſurance to all perſons claiming by the ſame, for the poſſeſſing and enjoying of all the houſes, lands, and tenements, lying within the ſaid burgh, according to the true meaning of the ſaid teſtator, by the cuſtom of this burgh, for ever, ſaving always to the wife, after the death of her huſband, her title of dower of and in the ſame, except ſhe hath releaſed the ſame before, or until ſhe ſhall releaſe the ſame."

VII.

VII.

Eldeſt ſon to be heir, or daughters co-heirs, if no ſon.

"The cuſtom of this burgh is, that the eldeſt ſon ſhall inherit the houſes, lands, and tenements within the ſaid burgh, whereof the father died ſole ſeized in fee-ſimple, at the time of his death, if he hath not declared and made his will of the ſame. But if he hath no ſons, but daughters, then his daughters ſhall be co-heirs unto their father, in ſuch caſes, ſaving to the wife the third part thereof, for her dower, unleſs ſhe hath before releaſed therein, or afterwards ſhall releaſe the ſame."

VIII.

A Woman may ſue for dower in the burgh court.

"In caſe where the woman claimeth her dower in any houſes, lands, or tenements, within this burgh, after the death of her huſband, which are kept from her poſſeſſion, by the cuſtom of this burgh, ſhe

ſhe may bring her action by writ of dower in the burgh court, before the bailiffs, and ſhall have trial, recovery, and aſſignment thereof, by ſuch manner of plea, proceſs, and judgment, as in ſuch caſes are uſed for recovery of dower at the common law, and thoſe proceſſes ſhall be returned by the ſerjeants at the mace, or by one of them, into the court before the bailiffs, there to remain of record, by the cuſtom of the ſaid burgh, for ever."

IX.

Burgh-court to be kept once a week, and adjourned at the bailiffs, will.

"As well by the cuſtom of this burgh, as alſo by point of charter, the court called the *burgh-court*, is to be holden and kept before the bailiffs, for the time being, only once in every week, or at their pleaſure to be adjourned from week to week, for a further time, upon any occaſion. In which court are holden all manner of pleas of land, debt,

debt, detinue, covenant-broken, treſpaſs, and treſpaſſes upon the caſe *, and all other actions whatſoever they be between party and party, according to the order and proceedings of the common laws of this realm."

X.

The bailiffs in court may take recognizances for debt from one perſon to another.

" The ancient cuſtom of this burgh is, and hath been, that the bailiffs, for the time being, in open court, may take cognizance for the payment of debts due from one burgh or inhabitant there, to another burgh or inhabitant there, or from a burgeſs or inhabitant to a ſtranger, which recognizance, being ſo acknowledged by the debtors to

* *Treſpaſs upon the caſe*, differs from a common treſpaſs, in that it is only the conſequential injury of a legal action; as where a man, in diverting a courſe of water from flooding his own land, does thereby overflow that of his neighbour. *&c.* whence the ground of an action *on the caſe*.

to the uſe of the debtees, the ſaid bailiffs ſhall cauſe to be recorded in the court-rolls of the ſaid burgh. And if the debtor do make default of payment, at the day mentioned in the record, then, upon complaint of the ſaid debtees, or his executors, unto the bailiffs, for the time being, they ſhall award againſt the debtor a *ſcire facias*, returnable the next court day, and if the debtor come not into the court the next court day, and plead good matter of diſcharge and payment of the ſaid debt, then the bailiffs at the requeſt of the debtee, ſhall give judgment for the debt, and award a *ſcire facias* againſt the goods and chattels of the debtor. And if the proceſs, at the ſuit of the debtor, be returned, that the debtor hath not goods and chattels within the burgh, then, at the charge of the debtee, he may have a *capias ad ſatisfaciendum* againſt the body of the debtor, to ſatisfy the mere debt and coſts of ſuit, to be adjudged by the bailiffs."

XI.

Upon action for debt, judgment, to be for the debt only, and 12d. *per £. to the town.*

" The cuſtom of this burgh is, and always

ways has been, that upon any bond, or bill of debt, entered for the payment of any debt, upon which action is brought within this burgh and court, before the bailiffs, that judgment ſhall be given, and execution for the mere debt only, and not for the forfeiture of any ſuch bond or bill, although by the law, the plaint muſt be entered by and upon the penalty.

And further, the cuſtom is, that in every action of debt, upon bond or bill, or without, the with-draft of 12d. in the pound ſhall be paid to the town, of the mere debt only, by thoſe who ſhall be overthrown in any ſuch action or actions, or by their pledges and ſureties in thoſe actions, provided that the attorney for the defendant, by plea, deſires that the mere debt be enquired of by the country, according to the cuſtoms of this burgh.

XII.

Of the Foreign court.

" By the cuſtom of this burgh, there is a court called a *foreign court*, appertaining to

to this corporation, for ſpeedy expedition and diſpatch of merchants and other ſtrangers coming to the ſaid burgh, for the recovery of debts, promiſes, bargains, and contracts, which court hath always been holden, and is to be holden before the bailiffs of the ſaid burgh for the time being, from day to day, or otherwiſe, at the will of the ſaid bailiffs, having reſpect to the equity and truth of the caſe, in this manner and form; *viz*, that is to ſay, after that upon the arreſt and attachment made, and that the action and matter be firſt entered of record in the court called the burgh-court; and after the declaration be put into that court by the plantiff, againſt the defendant, if that the defendant will, upon the demand of the foreign court aforeſaid, confeſs that action ſo entered and declared againſt him in the burgh court, that no ſuch foreign court ſhall be granted unto any ſuch plantiff, but the bailiffs ſhall proceed to grant judgment and execution in that action. But if the defendant ſhall ſeek to uſe delays againſt the plantiff, in that action and ſuit, and will not confeſs the ſame, then the bailiffs, upon requeſt and payment for the ſame court, ſhall grant ſuch foreign court againſt the defendant in every action afore-

ſaid,

ſaid, which court is to be holden before them *de die in diem*, (from day to day) at the diſcretion of the ſaid bailiffs, or elſe to be adjourned by them untill ſome longer time, either for knowledge of the truth, or to be adviſed and reſolved in matters doubtful. And ſo the action and cauſe ſhall proceed in that court, untill the ſame be determined in due form of law. Now, by the ancient cuſtom of this burgh, a free burgeſs may have this court granted againſt a ſtranger, or merchant, being no free burgeſs. And the ſame alſo may be granted between two ſtrangers, or more, being plaintiffs or defendants. But the cuſtom of this burgh always hath been, and ſtill is, that this court ſhall not be granted between two burgeſſes, or free-men of the burgh, for any manner of cauſe. And more over the cuſtom of this burgh always hath been, and yet is, that no writ of *certiorari habeas corpus*, or writ of error, will lie in this court, to be allowed, to the lett or hindrance of juſtice, execution to be done, according to the judgment given."

XIII.

Of the declaration, condemnation, appraiſement, diſpoſal, &c. of goods attached.

" The ancient cuſtom of this burgh is and always hath been, that upon all manner of actions brought within the burgh, attachment ſhall be made of all manner of goods and chattels, upon pleas of debt, detinue, covenant-broken, treſpaſs upon the caſe and all other pleas determinable at the common law, at the ſuit of all manner of plaintiffs which ſhall require the ſame. And this attachment ſhall be made, of all ſuch goods and chattels whereof the poſſeſſion may be lawfully taken and obtained within the burgh or within the liberties of the ſame, in this form following; that is to ſay, that the four ſerjeants at the mace, upon warrant given unto them, ſhall make ſuch attachment upon the land, within the liberties thereof, as the officer, called the water-bailiff, ſhall do the like upon the waters, from the mouth of the haven, as far as the liberties do extend: that is to ſay, as far as St. Olave's-bridge, Hardly-croſs, and Wey-bridge, and that after attachment made of any manner of goods and chattels

chattels, as is aforeſaid, the ſame ſhall remain under the attachment, in the cuſtody and ſafe-keeping of the officers who ſhall ſo make the ſaid attachment, which officer then at the next court following, upon entering of the action or actions, ſhall preſent and give in an inventory of all and ſingular the ſaid goods and chattels into the court, before the bailiffs, there to remain of record, to the intent that every part and parcel of the ſaid goods may be forth coming, to ſatisfy the debt and damages which ſhall be adjudged by the court, in every ſuch action brought by the ſaid attachment or elſe the plaintiff, having no good cauſe of action, that upon trial thereof, the owners may be reſtored again to the poſſeſſion of their ſaid goods and chattels, where upon ſuch attachments were made, And the cuſtom is, that if attachment be made. and the action entered, and declaration be put into the court, that then, if none do appear for the defendant, there ſhall be awarded four ſeveral defaults, upon four ſeveral court-days, upon the ſaid attachment; and if within theſe four court-days, there come not any in for the defendant, that the bailiffs ſhall award judgment and condemnation againſt thoſe goods and chattels on the behalf of the

plaintiff, and thereupon, at their diſcretions, ſhall appoint and aſſign two, three, or four honeſt burgeſſes, by their oaths, to make appraiſement of the ſaid goods and chattels attached in manner and form aforeſaid, which appraiſement ſo made, the ſaid burgeſſes ſhall certify unto the court before the bailiffs, there to remain of record. And if the defendant come not to make ſatisfaction to the plaintiff of the debt and damages demanded and adjudged, that then, at ſome other court-day, at the requeſt of the plaintiff, the bailiffs ſhall award out of the court, a *venditioni exponas* *, to be directed to the officer or officers who made ſuch attachment, to ſell the ſaid goods and chattels ſo attached or condemned, to the utmoſt value; and the money thereof coming, to bring into the next court before them, to make ſatisfaction to the parties, plaintiffs, of the debt and damages recovered and adjudged, if ſo be that the goods attached amount to that value. And if ſo be that the goods attached will not amount to the value of the debt and damages recovered, then no further than the value of the goods ſhall be liable to the parties, plaintiffs, by that action

* A writ to authorize the ſale of goods.

action or actions, for appraiſing, and alſo the charges of ſuit, and withdrafts of the court. But if the goods and chattels attached, as is aforeſaid, ſhall by the ſaid appraiſement and ſale, amount to a more ſum than the debt and damage recovered and adjudged, that then the reſidue of the money proceeding of the ſaid goods and chattels, by the ſaid appraiſement and ſale, after ſatisfaction made to the party, plaintiff, for his debt and damages, with coſts of ſuit, and withdrafts of the court, ſhall remain in the cuſtody of the ſaid bailiffs, to the uſe of the parties defendants, or any other perſon or perſons having rightful and lawful authority to demand the ſame. And whereas, divers times many goods and chattels being attached are ſuppoſed to be the goods and chattels of others, and not of thoſe parties upon whoſe names the actions are entered in the court, as defendants. In thoſe caſes, the party or parties, which claimeth to have property to thoſe goods and chattels, to defeat the attachment made, and the actions and recoveries had by force thereof, if he be preſent in the court, ſhall there in open court, before the bailiffs be ſworn, that the property which he or they ſo claim, in and to the

ſaid goods attached, is only upon good cauſe and conſideration, without fraud, covin, or deceit. And further, the bailiffs ſhall cauſe the ſame party claiming ſuch property, to put in his plea into the court, that at the time of the attachment made, the goods were not the goods and chattels of the defendants, but did belong to him at that time, as his proper goods. Upon which plea, if the parties who cauſed the attachment to be made, will not be ſatisfied and diſcharge their actions, then theſe ſame parties, plaintiffs in that attachment, ſhall join iſſues upon the ſaid plea of claim, that the ſaid goods and chattels, at the time of the attachment made, were the proper goods and chattels of the ſuppoſed defendant in thoſe attachments; whereupon a jury ſhall be then returned and impannelled, againſt the next court, or at ſome other court, at the diſcretion of the ſaid bailiffs, upon their oaths, to enquire and try the property aforeſaid, according to the proofs on either part. And if it be found, by the verdict of the ſaid jury, that the property of the ſaid goods, at the time of the attachment made, was in him or them ſo claiming the ſame, according to his or their plea, put into the court, then thoſe goods and

chattels

chattels ſhall be releaſed of thoſe attachments, and re-delivered up to him or them, that be ſo found to be the right owners thereof. Provided always, that if the party claiming be not preſent in court, to be ſworn in manner and form aforeſaid, yet nevertheleſs his attorney ſhall be received to put into the court his plea of claiming property, to be tried by the verdict of the jury, in manner and form aforeſaid. And if it be found by the verdict of the ſaid jury, that the property of the ſaid goods and chattels attached, at the time of the attachment made, was in him or them, ſuppoſed to be defendants, in the action or actions brought and entered upon the ſaid attachments, and not in him or them ſo making claim thereto; that then thoſe goods and chattels ſo attached, ſhall remain liable for the ſatisfaction of the debt and damages of the plaintiff which cauſed the ſaid attachment to be made. And the cuſtom of this burgh is, that if a ſtranger to the attachment and action, being no party therein, ſhall be ſuppoſed owners of the goods and chattels attached, if ſo be, he comes not by himſelf, or by his attorney, into the court, and maketh his claim and tryal unto the ſaid goods and chattels attached, in manner and

form aforesaid, within one year and a day next after the making of the said attachment, or next after judgment given upon the fourth default at the furthest, that then every such proprietor or owner, and his executors, to be utterly excluded and debarred from having or claiming any right or interest in or to the said goods and chattels attached, or in or to any parcel thereof, by custom, for ever. And moreover, the custom of this burgh is, and hath been, that if any goods or chattels be attached and condemned by four several defaults made upon any action brought against their goods and chattels, as the proper goods and chattels of the supposed defendants in those actions, so as by the judgment of the court, those goods and chattels are to be delivered to the plaintiffs in satisfaction of the debt and damages recovered and adjudged, that although no title of property or right be supposed in any other persons, but only for the defendants to those actions, yet nevertheless for equity and justice to be done, the bailiffs shall bind the plaintiffs in those actions, to whom those goods and chattels are delivered, as is aforesaid, with two sufficient sureties, being freemen of the burgh, to deliver the goods and chattels aforesaid,

to

into the court, or the value of them, according to the appraiſement thereof made and certified into the court, if that any other perſons, other than the ſuppoſed defendants in the action or actions upon the attachment aforeſaid, ſhall come into the court, within the year and a day aforeſaid, and there ſhall make his claim and lawful trial, to have juſt and true property in and to the ſaid goods and chattels, in ſuch manner and form as is afore declared, according to the cuſtom of this burgh.

"And the cuſtom of this burgh is, that whereas attachments are made in one man's name, or more, as defendants in any action brought, and others do claim to be owners of the goods and chattels attached; if that this caſe be informed to the bailiffs, and that great loſs may grow, being no parties to thoſe actions, and that this information ſhall, in the judgment of the bailiffs, appear to be true, without any deceit or fraud to be ſuppoſed in the perſons ſo claiming, being no parties to the ſaid action or actions; that then the bailiffs, by their diſcretions, may receive the ſaid party, with two ſufficient freemen to be bound by recognizance in the court, before them, to try his property of and in the ſaid

goods

goods and chattels attached within certain time to be limited unto him, by the diſcretion of the ſaid bailiffs, in manner and form as afore declared, for trying property in goods attached, or elſe that in default of making trial of the ſaid property, by the time limited, the ſaid two freemen ſhall, by their recognizances, ſtand and become bound, as ſureties and pledges to the action or actions, whereupon the ſaid attachment was made; and then the bailiffs, having regard unto the loſs that may grow upon the goods attached by their diſcretions, upon the recognizance aforeſaid, may cauſe the ſame goods to be releated of and from the ſaid attachment, and delivered unto the ſuppoſed owner thereof. But this manner of trying property is not generally to be uſed upon any attachment, but only by the diſcretion of the ſaid bailiffs, in ſuch caſe where great loſs is like to grow to the perſons being no parties to the actions, whoſe property is ſuppoſed to be without fraud or covin: for the cuſtom of this burgh is, when goods be attached upon any action, which do appear to be the goods of the parties defendants to thoſe actions, thoſe goods ſhall remain under attachment liable to thoſe actions, and ſhall nor be releaſed without the

two ſufficient ſureties or pledges to the action or actions, being freemen; for default of ſuch ſureties to be put in, thoſe goods attached ſhall proceed to condemnation, by judgment of the court, in manner and form as is above declared. Nevertheleſs, if the party defendant, who owneth the goods, be preſent, having his goods attached, called in default, and if he be not able to put in ſureties to the action or actions, according to the cuſtom aforeſaid, and if he ſhall alledge in court before the bailiffs, that the parties, plaintiffs, have no cauſe of ſuch action or actions againſt his ſaid goods; then the bailiffs ſhall receive him by himſelf, or by his attorney, to plead and join iſſue with the plaintiff, and then, according to the verdict given up by the jury, if the plaintiff have no cauſe or action, thoſe goods ſhall be releaſed and delivered to the defendant; otherwiſe the ſame goods ſhall be liable to the ſatisfaction of the debt and damages of the plaintiff in that action or actions, according to the judgment to be given. Alſo by the cuſtom of this burgh, all attachments of goods and chattels whatſoever, by virtue of any action made as aforeſaid, ſhall upon recognizance of two freemen of this burgh, acknowledged before the bailiffs, or one of them,

to

to become ſureties and pledges to thoſe actions preſently before the fourth default, entered againſt thoſe goods, be releaſed and diſcharged; and the ſaid pledges ſhall be recorded in court, to be anſwerable to the ſaid actions, whereupon the ſaid actions were made; but after the fourth default entered, no ſureties ſhall be received."

XIV.

Strangers being maſters or owners of veſſels trading here, if they contract a debt with a towns-man, and it be not diſcharged on the bailiffs application to the magiſtrates of the place where the veſſel belongs, the next veſſel from thence may be ſeized.

" Alſo the cuſtom of this burgh is, that if any freemen or inhabitant within this burgh, ſhall deliver to any ſtranger dwelling in France, Zealand, Holland, or in any other parts beyond the ſea, being owners or part owners of any ſhip or veſſel or maſter thereof any manner of victuals, ropes, cables, anchors, or other neceſſaries for the ſaid ſhip or veſſel, making a bill of debt between them, or taking the hand or mark of the ſaid owner, or maſter, or of both, to his book, or elſe making tallies

tallies between them, for the knowledging the receipt of ſuch things. In this caſe, if the ſaid freeman or inhabitant ſhall come before the bailiffs, and make his complaints, that he is unpaid for the things delivered, according as was promiſed and agreed between them, and ſhall, by his corporal oath before the bailiffs, avow this to be true; then the bailiffs, at the charge of the complainant, ſhall write their letters, under the town ſeal, unto the magiſtrates, or head-officer of that city, town, or place, where the ſaid debtor or debtors do dwell, that order may be taken for the payment and ſatisfaction of the debt aforeſaid. And that if reaſonable anſwer be not made unto the ſaid bailiffs within three months next after the delivery of the ſaid letters, whereby the parties complainants ſhall ſtand contented, then the bailiffs ſhall in like manner write their ſecond letter, for ſatisfaction to be made of and for the debt, if the debtors be able to pay it, then to do juſtice upon their bodies and goods, according to law and equity, ſo as if their goods be not ſufficient, that their bodies be committed to priſon, to anſwer the ſaid debt; and if that the magiſtrates and head-officers ſhall fail in the doing thereof, accord-

ing

ing to the contents of the ſaid letters, and that complaint be again made to the ſaid bailiffs, by the ſaid freeman or inhabitant, that the ſaid debt is yet unpaid, and this being avowed by their corporal oaths to be true, that then the bailiffs ſhall, at the ſuit of the ſaid parties complainants, award an attachment to be made againſt the next ſhip and goods of any inhabitant of that city, town, or place, to which the ſaid letters were directed, that ſhall come next within the liberties of this burgh, for ſatisfaction to be made of the ſaid debt. And the ſaid bailiffs, having the ſaid attachment returned into the court before them, ſhall proceed to judgment condemnation, and appraiſement of the ſaid ſhip and goods, according to the cuſtom of this burgh, for the ſatisfaction of the debt aforeſaid."

XV.

For making and revoking bye-laws, ordinances, &c. and for the obſervance and penalties for non-obſervance thereof. Alſo what conſtitutes a common-council and aſſembly.

"The cuſtom of this burgh is, and time out of mind hath been, that the bailiffs, burgeſſes, and commonalty of this burgh, in their

their common-council and aſſemblies, may from time to time make ordinances, laws, and conſtitutions for the common weal of the ſaid corporation; and again may revoke and repeal any ſuch ordinances, laws, and conſtitutions made at their pleaſures, if the ſame be found hurtful to the ſtate and common weal of the ſaid corporation; and according to the time, upon conſideration, may revive and renew any of the ſaid ordinances, laws, and conſtitutions.

"And the cuſtom of this burgh hath always been, ever ſince it was made and incorporated to be a free burgh, that not only all and ſingular the freemen of the ſaid burgh, but all and ſingular the inhabitants within the ſaid burgh, ought to maintain, keep, uphold, and obey all ſuch ordinances, laws, orders, and conſtitutions, as from time to time have been, be, or at any time hereafter ſhall be made, ordained, and eſtabliſhed, by the common-council of the ſaid burgh, under the pains and penalties limited and appointed by the ſaid laws, orders and conſtitutions. And that all the ſaid freemen and inhabitants, being the breakers and diſobeyers of the ſaid laws, ordinances, and

conſtitutions

conſtitutions, or any of them, have always been, and may be, and ought to be committed unto the goal or priſon of the ſaid burgh, by the bailiffs of the ſaid burgh, for the time being, or by one of them, there to remain and abide, untill they have paid the penalties and forfeitures of all ſuch laws, ordinances, and conſtitutions, as by them have been broken and diſobeyed. For which impriſonment, in manner and form aforeſaid, none of the freemen or inhabitants of the ſaid burgh, ſhall at any time after be allowed or received to have any action or actions, ſuit or ſuits, within the ſaid corporation, againſt the bailiffs, or againſt any of them that did ſo commit the ſaid freemen or inhabitants, to ward or priſon, as is aboveſaid.

"Alſo, the cuſtom of this burgh is, and always hath been, that no manner of law, ordinance, order, or conſtitution, which is made, ordained, or eſtabliſhed by any common-council or aſſembly, that the ſame ſhall not be revoked or repealed, but by another common-council or aſſembly called and convened: which common-council

council consisteth, by the ancient custom of this burgh, upon the two bailiffs, or one of them, at the least, and their two and twenty brethren, being termed by the name of the *four and twenties*, or of the greater part of them, and also of the *eight and forties*, or the more part of them. In which common-council consisteth the whole body and state of the whole corporation of the burgh, that is incorporated by the name of the bailiffs, burgesses, and commonalty of the burgh and town of Great Yarmouth; the representation thereof is in the bailiffs, or one of them, for the bailiffs; in the four and twenties, for the burgesses; and the eight and forties, for the whole commonalty of the said town. The meeting or appearance of whom, or the more part of them, in manner and form aforesaid, maketh and establisheth a common council and assembly, so as one of the bailiffs, for the time being, be always present. And then whatsoever ordinances, laws, orders, and constitutions, are in such manner made and ordained, established and agreed unto, and every of them being written and recorded by the clerk of the assembly, are to be observed and put in execution; and the offenders

againſt the ſame, are to be puniſhed according to the ſame, without any manner of favor or affection, by cuſtom of this burgh for ever."

On theſe articles we ſhall only remark, that the 14th is the only one which has entirely grown into diſuſe. The cuſtom there claimed is certainly very extraordinary, and ſubject to many objections, with reſpect to the eligibility of ſuch foreign claims, and the difficulties the town might poſſibly have been embroiled in by ſuch as might be refractory, and refuſe an implicit obedience to their privilege, which on a deliberate view, ſeems to be not altogether unneceſſary to its being enforced, in ſome circumſtances. However, the burgeſſes found their end in it, and did frequently put it in execution, as appears by the court rolls.

In the reign of Edward I. Edward II. and Edward III. &c. we find it in uſe. In the 26th of the former, there is a roll, intitled *Rotulus de diverſis literis directis, &c. &c. miſſis ſub ſigillo ballivorum*; from which it is to be obſerved, that the bailiffs were ſometimes obliged to write a third and fourth letter, ere the deſired effect was produced. Amongſt theſe we find a firſt letter ſent to

Berwick

Berwick, Colcheſter, Dort, Middleburgh, Husflet, Sangate, Calais, &c. a ſecond to Ardenburgh, Colcheſter, and Flixing; a third to Ardenburgh and Fliſſing; a fourth to Dort, &c.

Sometimes copies of theſe letters (which were written in Latin) were inſerted at large in the court-rolls, and ſometimes only the purport was entered, as under:

Litera directa ballivis et ſchabinis de Munkerode, ad juſtificand' Cleys Betteſon ad reddend' Thome le Nurthern viiili. iiis. *vid. quos ei deb' pro ſale per duas tall' et ſimiliter* xiili. *quos ei debet pro piſce ſine tall."*

"A Letter directed to the bailiffs and ſchabins (chief magiſtrates) of Monk-road, to juſtify Cleys Bettſon to pay unto Thomas le Northern 8*l*. 3*s*. 6*d*. which he owes him for ſalt, by two tallies; and alſo 12*l*. which he owes him for fiſh, without tallies."

Such bills or acknowledgments of debts as were entered in court, before the bailiffs, had generally annexed a clauſe, empowering the bailiffs to levy the debt upon the goods and chattels of the debtor, if the conditions

of these obligationswere not performed. The clause ran in this manner; "*Et nisi fecerit, concedit* "*quod ballivi Jernemuthæ fieri faciant predictum debitum de bonis et catallis suis &c.*" (i. e.) And unless he perform the agreement, he grants that the bailiffs of Yarmouth do cause the aforesaid debt to be levied of his goods and chattels, &c.

An instance of the execution of this article, we find in a memorandum in the 12th. of Edward I.

"*Johannes Gerberge attach, fecit homines de Ostend, pro defectu justic. in partibus illis de quodam debito &c,*" i. e. "John Gerberge caused to be arrested the men of Ostend, for a default of justice in those parts, for a debt of 4*l.*, 1*s.* in which debt Hankyn Tallard and William his brother, and others, were bound to him, for which some of that society, and of those parts, entered into payment of the said debt; viz. Boyding Kelyng for 3*s.* Bondyn Fitz Havyn for 3*s.* Walter Noy for 3*s.* John Wynkard for 3*s.* Willard Hawke for 3*s.* John Walke for 3*s.* Lambkin Ermund for 3*s.* Walter Peridan for 3*s.* &c. &c."

A ſimilar uſe of this prerogative was attempted to be made in the 27th of the ſaid king, by authority of the king's writ, in a matter in which the burgeſſes of Yarmouth were not in any wiſe concerned; and its failure was only owing to the irregularity of the proceedings, as will appear in the ſubſequent relation.

During the time the king was in Flanders, one of his ſervants, named Nicholas de Montpeliers, had his ſhip robbed and carried off by four Zealanders, with ſome other unknown accomplices, which being laid before the king, this extraordinary mode of reſtitution or ſatisfaction, by repriſal, was recommended to be adopted by his writ, as follows;

"*Edward, par la grace de Dieu, roi d' Engleterre, ſeigneur d' Irlaunde, et duc d' Aquitaine aux bailiffs de la ville de Yernemue, ſaluz &c.*" i. e. "Edward, by the grace of God, king of England, lord of Ireland, and duke of Acquitain, to the bailiffs of the town of Yarmouth, greeting. Whereas we have underſtood, by ſufficient witneſs, that our beloved valet, Nicholas de Montpeliers, was robbed in Zealand of a ſhip, by

the people of the ſame country, while we were in Flanders, to the great damage of the ſaid Nicholas, as he can inform you. We command you that this plaint be truly examined on that behalf; that you cauſe the matters to be redreſſed in the beſt manner, and at the moſt expence that you can, ſo that right and reaſon be done him. Given under our privy ſeal at Weſtminſter, the 25th day of October, in the 27th year of our reign."

Upon receipt of this writ, twelve Zealanders, then at Yarmouth fair, were arreſted and committed to priſon, tho' none of them were actually concerned, or had any intereſt in the ſaid robbery, or connection with the robbers. Upon the trial of this matter, the plaintiff produced ſeveral ſimilar inſtances of attachment, in ſupport of the proceeding; viz. two at St. Botolph, and one at King's Lynn, at the time of the fairs there, upon certain inhabitants of Weſtchapel, and pleaded, in conſequence, that he ought to recover his goods &c. againſt the peers and commoners of Zealand. The defendants, in anſwer, alledged, that though they were of Zealand, they were not peers and commoners of Weſtchapel, in which liberty the robbery was committed

mitted; and further, that according to the cuſtom of Yarmouth, and the law current betwixt Yarmouth and that place, (*inter nos et vos*) *three letters ought to have been ſent* from that town to the count of Zealand, and there proceſſes ought to be for him before the bailiffs and ſchabins of the town, or liberty, of whoſe dominion the offenders were; and *becauſe no letter was ſent* from that town to the earl of Zealand, nor to the bailiffs and ſchabins of Weſtchapel, as is proved by the bailiffs of Yarmouth, they deſire judgment, if the ſaid Nicholas have any action or complaint againſt them, who are not guilty of the ſaid treſpaſs, *nor have letters paſſed*, as is cuſtomary. Upon this the defendants were acquitted, principally, as is evident from the pleas of the defendants, on account of the irregularity of the proceeding, in not having firſt applied for redreſs to the "magiſtrates or head officers of the place, &c." as the ſaid 14th article enjoins.

CHAP. VII.

Of Yarmouth *Free-Fair*, and the various diſputes and conteſts between the *Cinque Ports* and *Yarmouth* relative thereto.

IN Chap. V, we had occaſion to mention the annual concourſe of people to the ſpot where Yarmouth now ſtands, for the ſeveral purpoſes of catching, curing, and diſpoſing of herrings, whence we inferred the origin of the *free-fair*; in which it appears, the fiſhermen of the Cinque Ports were principals, and thence claimed and actually undertook, the government of that annual reſort. We ſhall here, then, reſume the ſubject, and for the better information of the reader, relate ſuch particulars of the Cinque Ports as may be a neceſſary elucidation of their connections, and conſequent diſputes with Yarmouth.

Les Cinque Ports, that is, the *Five Ports*, from their eaſtern ſituation on the coaſt of England, immediately oppoſite to that of France, had acquired the reputation of ſending out the moſt expert mariners of any in the kingdom,

kingdom, and were accordingly much confided in by the kings of England, from whom they obtained a particular policy and jurisdiction of their own, were nominated, by way of eminence, the *Cinque Ports*, and were governed by ſome noblemen, bearing the title of *Lord Warden*.

The five principal towns, from which they are denominated, are Haſtings, Dover, Hithe, Romney, and Sandwich, to which ſeveral members were added.

Camden ſays, that William the conqueror firſt appointed a warden of the Cinque Ports, who, from the ſeveral cuſtoms and privileges granted them, continues to have the authority of an admiral, and iſſues out warrants in his own name. This officer, or limenarcha, the ſame author adds, ſeems to have been created in imitation of the Roman *littoris Saxonici, comes* or *tractûs maritimi comes*, the earl of the Saxon ſhore, or earl of the ſea-coaſt, an officer with nine ſea-ports under his charge, eſtabliſhed for the defence of the coaſts.

Their grand privileges come from King John; who being diſtreſſed to fit out a fleet of ſhips for the recovery of his Norman dominions, lately loſt, indulged them with a charter, on condition that they ſhould provide for him

57 ſhips for forty days, at their own charge, as often as the wars he was engaged in, ſhould give him occaſion to demand them.

Amongſt their liberties, the barons of the Cinque Ports had ſome privileges granted at Yarmouth; or rather, they were confirmed; for they had holden them by preſcription long before. But theſe privileges interfering with ſome of thoſe granted to the burgeſſes of Yarmouth, by the ſame king, occaſioned ſuch confuſion, diſcords, outrages, and domeſtic wars, as perhaps were never before known, for ſo long a time, between any two communities in the Britiſh dominions; and which were ſometimes carried to ſuch horrid extremities, that the whole nation was alarmed at their mutual depredations.

Theſe ſeem to have originated from the idea that each entertained of their own importance from theſe newly acquired grants, and a conſequent tenacity of their particular privileges, at that time, perhaps, ſcarcely aſcertained. And this appears the more probable, if we conſider, that (as we have before intimated) the ſole management of the fair, whence the town aroſe, was originally in the CinquePorts, though afterwards in conjunction with the king's provoſt, and,

and, after the incorporation, with the bailiffs of the town.

At the time when our kings had real, as well as nominal poſſeſſions in France, the fiſhermen from the coaſts of France, Flanders, Holland Zealand, &c. as well as thoſe of England, reſorted to this fair, together with a great number of merchants and traders from moſt of our capital inland towns; whence the ſeveral orders, dites, and decrees, iſſued from the throne, for the mutual advantage of the bailiffs of Yarmouth and the Cinque Ports, will not appear extraordinary.

That the Cinque Ports firſt ſent bailiffs to Yarmouth, to ſuperintend the fair, we have before obſerved; and though that parade has been a long time diſcontinued, a ſhort account of it may not be unentertaining.

The number of bailiffs ſent was not always the ſame. In the 13th of Edward I. we find ten in commiſſion; but it is to be obſerved that only the five ports and the two ancient towns (Rye and Winchelſea) were concerned in ſending them, the members being exempted. In that year, we find Haſtings ſent one bailiff, Dover one, Hithe two, Rye one, Romney two, Winchelſea two, and Sandwich one. They were generally preceded,

in

in their formal entry, &c. by four ſerjeants; the two firſt carrying white rods, the next a banner, or ſtandard, the other a horn.

When ſeven bailiffs were ſent, they were the ſeven repreſentatives of the aforementioned ſeven towns, each town ſending one. When eight came, two were from Winchelſea, and one from each other town. When nine came, two were from Winchelſea, and two from Dover or Hithe, the reſt one each. When there came ten, two were from Winchelſea, two from Dover, two from Hithe, and one each from the remaining four towns. But this order was not always inviolably preſerved, as may be ſeen by the foregoing inſtance of the 13th of Edward I.

After Yarmouth and the Cinque Ports had obtained their reſpective charters, the frequent riots, and diſſentions between them, on account of their liberties and privileges, occaſioned the granting that famous ordinance, called the *aſſe*, whereby king Edward I. in his 5th year, confirmed *den* and *ſtrond* to the Cinque Ports, at Yarmouth, and granted them ſeveral other liberties there, which he further confirmed, in his charter to them the following year. And by a ſpecial pardon granted

granted to Yarmouth by that king, in his 10th year, it appears that ſeveral treſpaſſes and damages were done to the ports, upon the ſea coaſt, as far as Shoreham and Portſmouth, by the people of Yarmouth, for which they were fined 1000*£*. nor does this appear to be the firſt inſtance of that nature.

Freſh differences and controverſies afterwards ariſing, and many other outrages continuing to be committed, a new charter was granted to each party in the 26th of that king, and in his 33d year another ordinance was made for the better accommodating of differences between them. This ſeems to have been in conſequence of an inquiſition taken before two of his majeſty's juſtices, appointed by ſpecial commiſſion, in the 31ſt of that king, by which it appears, upon the oath of twenty good and lawful men, that Yarmouth had ſuſtained damages by the ports-men to the enormous amount of *£*. 20138; a prodigious ſum at that time.

It was alſo recorded by Hollingſhed, in his Chronicle, that in the 25th of the ſaid king, "That king paſſing into Flanders, to "the aſſiſtance of the earl thereof, being no "ſooner on land, but the men of the Ports

and

" and Yarmouth, through an old grudge long
" depending between them, fell together
" and fought on the sea with such fury, that,
" notwithstanding the king's commandment
" to the contrary, twenty-five ships of
" Yarmouth, and their partakers, were
" burnt, &c." But Manship observes that in the town's record of that year, he did not find that so many were burnt; but by a complaint and presentment made to his majesty, it appears that thirty seven ships were greatly damaged by the ports-men, 171 men killed, and goods to the value of £. 15356 were spoiled and taken from them, " of which,
" continues he, a grievous requital was not
" long after made by the men of Yarmouth,
" against the ports-men."

These disturbances continuing till the reign of Edward III. that king, in his 10th year, made another ordinance for the preservation of peace between them; which proving yet ineffectual, further agreements were made in his 31st and 33d years. These still had not the desired effect. The calms of peace succeeded the storms of riot and confusion, only to make way for a succeeding one, often more fatal than the former, till the 10th of Richard II. when these enormities had arisen to such

a

a height, that they not only involved whole families in all the calamities of ruin and diſtreſs, deprived the poor of their comfort and the rich of their poſſeſſions, but interrupted the affairs of the public, and were alarming to the whole nation. In that year, therefore, the king made another agreement between them, which he commanded to be proclaimed throughout all his dominions, both at home and abroad, and to be kept under a grievous penalty to be inflicted on the firſt offender. By means of this proclamation, a more peaceable conduct was obſerved to each other for ſome time; but ſcarce a year paſſed without ſome little conteſt or petty diſturbance, till matters were finally ſettled to their mutual ſatisfaction, in the reign of queen Elizazabeth, at leaſt for that time. But to return.

In the 31ſt of Edward III. the *ſtatute of herrings* was enacted; at which time we find the whole legiſlature intereſted in theſe alarming diſputes: and deliberating on, and making laws and ordinances for their better government. The original of this ſtatute is in French, a tranſlation of which is as follows:

"Forasmuch as the commons of the realm "of England, at the parliament holden at "Weſtminſter the Monday next after the week

of

" of Easter, the year of the reign of our lord " the king, Edward the third, of England " xxxi, and of France xviii, have complained " them to our lord the king, because the " people of Great Yarmouth do encounter " the fishers bringing herring to the said town " in the time of the fair, and do buy and fore- " stall the herring before they do come to the " town. And also the hostelers of the said town, " that lodge the fishers coming thither with " their herring, will not suffer the said fishers " to sell their said herring, nor meddle with " the sale thereof, but sell them at their own " will, as dear as they will, and give to the " fishers that pleaseth them, whereby the fish- " ers do withdraw themselves to come thi- " ther, and so is the herring set at much " greater price than ever it was, to the great " damage of our lord the king, of the lords, " and of all the people. Wherefore our lord " the king, seeing the mischiefs in this behalf " by the assent of the great men and all the " commons, hath ordained and stablished re- " medy upon the said mischifs, in the form " as followeth.

' First, That no herring be bought or sold ' in the sea, till the fishers be come in the ' haven with their herring, and that the cable ' of the ship be drawn to land.

Item,

'Item, That the fiſhers be free to ſell 'their herring to all that come to the fair 'of Great Yarmouth, without any diſturb-'ance of their hoſtelers or any other. And 'when the fiſhers will ſell their merchan-'dizes in the port, they ſhall have their 'hoſtelers with them, if they there will be, 'and in their preſence, and in the preſence 'of other merchants, openly ſhall ſell their 'merchandizes.

'And that every man claim his part for 'the taking (i. e. the price) after the rate of 'the ſame merchandizes ſo ſold; and the ſaid 'ſale ſhall be made from the ſun-riſing, to 'the ſun-ſetting, and not before nor after, 'upon forfeiture of the ſame merchandizes.

'And that the ſaid fiſhers be free to buy 'their victuals, and that which they need, 'where it ſhall pleaſe them. And that 'no hoſtelers, nor other, buy any for to 'hang in their houſes, by coyn, nor in 'other manner, at an higher price the laſt 'than 40*s.* but leſs in as much as he may, 'according as he may agree with the 'ſeller,

'And that no hoſteler, nor any of their 'ſervants, nor any other, whoſoever he be, 'coming to the ſaid fair, ſhall go by land, nor

'by ſea, to foreſtall herring, privily nor 'openly, but the herring ſhall come freely 'unſold unto the haven. Nor that any py-'ker make buying of freſh herring in the ha-'ven of Yarmouth, betwixt the feaſts of St. 'Michael and St. Martin, upon pain of im-'priſonment at the king's will, and to forfeit 'all the herring ſo bought. And that no 'veſſel, called pyker, of London, nor of none 'other place, ſhall enter into the ſaid haven, 'in order to enhance the fair, in damage 'of the people, upon the pain of forfeit-'ure of their veſſel, and all their chattels 'found therein.

'And that all the hoſtelers be ſworn before 'the wardens of the ſaid fair, and enjoined, 'upon a great forfeiture to the king, to re-'ceive their gueſts well and conveniently, 'and to aid and eaſe them reaſonably, taking 'of every laſt that ſhall be ſold to other mer-'chants than to the ſaid hoſtelers 40*d*. And 'that of herring ſold to the ſame hoſtelers to 'take into their own houſes, the ſame hoſt-'elers ſhall take nothing. And becauſe of 'the profits which they ſhall have of victuals 'ſold to their ſaid gueſts, and of the advant-'ages that they have more than other of 'curage of herring ſo by them bought, and

hanging

'hanging in their houſes. And that the hoſ-
'telers, becauſe of this ordinance, do not
'refuſe their gueſts, but receive them, and
'intreat them in good and friendly manner,
'as they have done before time. And that
'they, for the advantage of 40*d.* the laſt,
'take upon them for the payment of all the
'herring that ſhall be ſold by their aſſent
'to any perſons. And the *hundred* of herr-
'ing ſhall be accounted by *ſix ſcore*, and the
'*laſt* by *ten thouſand*. And that the mer-
'chants of Yarmouth, of London, or elſe-
'where, ſell the *thouſand* of herring to the
'people at the rate of the price of the laſt.
'And that the people of Yarmouth ſell the
'laſt of red herring bought for 40*s.* freſh
'within 40 days, for half a mark of gain,
'and not above. And that the people of
'London, at ſuch fair, ſhall bring the laſt
'from Yarmouth to London for one mark of
'gain, and not above. And alſo two laſts of
'ſhotten herring freſh, ſhall be ſold for the
'price aſſeſſed of the buying of a laſt of full
'herring, and ſo of more and leſs after the
'ſame rate; and of ſhotten herring red, the
'two laſts ſhall be ſold dearer by a mark than
'the laſt of herring full red, and that becauſe

'the curage of the laſt of ſhotten herring, 'draweth to as much as the laſt of full herr- 'ing; and ſo of more and leſs, according to 'the ſame rate.

'And that the ſhips called the pykers ſhall 'freely buy freſh herring, and all other mer- 'chandizes of fiſhes, in Kyrkly, and elſe- 'where upon the coaſts of the ſea, without 'impeachment or diſturbance of the hoſte- 'lers of Yarmouth, or of any other; ſo al- 'ways than no more herring be diſcharged 'in the road of Kyrkly out of the fiſhers 'ſhips, but as much as may reaſonably ſuffice 'to the charge of the pykers that thither 'ſhall come for the ſame cauſe. And that 'the fiſhers be compelled to bring all the 'remnant of their herring to the ſaid fair, 'to ſell there, ſo that none ſell herring in 'any place about the haven of Yarmouth, by 'ſeven miles, except in the three towns of 'Yarmouth; that is to ſay, Eſton, Weſton 'and Southton, unleſs it be herring of their 'own fiſhing. And our lord the king doth 'will, that the barons of the Five Ports ſhall 'cauſe to be kept and governed the ſaid fair, 'according to the compoſition late made be- 'tween them and the people of the town of 'Yarmouth, confirmed by the king's grand-

'father,

'father, and that the ſaid barons, and the 'bailiffs of Great Yarmouth, cauſe to be 'kept theſe preſent ordinances, in all points, 'and to be cried in every Sunday between 'St. Michael and St. Martin, upon the pain 'to loſe their franchiſe, and to be puniſhed 'at the king's will. And that the people of 'Yarmouth ſuffer the ſaid barons of the Five 'Ports to govern and rule the ſaid fair, after 'the purport of the ſaid compoſition, and due 'execution to be made of this ordinance, upon 'the pain laſt aforeſaid.

'And theſe ordinances, in the right of 'buying and ſelling of herring, ſhall be hold-'en in all the towns of England where herring 'is taken and ſearched, (i. e. dried) upon the 'pains aforeſaid."

In the 17th year of Queen Elizabeth, a freſh conteſt aroſe between Yarmouth and the Cinque Ports, concerning *prenomination* in the proclamation and ſtile of the court. To determine which, with ſome other controverſies, both parties had agreed to a deputation in London; but that of the Cinque Ports not appearing according to agreement, the burgeſſes write to them a letter, which concludes thus;

'Truelie the cawſes whereuppon theis-
'quarrells doe riſe, doe brede of yourſelfes,
'and that within theis fewe yeres wherin yow
'onelye ſeke ſuperioritie over us, whiche
'before your predeceſſors never challenged,
'that is *prenominacion* in the proclamacion
'and in the ſtyle of the courte, whiche we
'alweis have had, as appereth by oure aun-
'cient records, at whiche tyme if yow of
'righte oughte to have had the *prenominacion*,
'neither were we then of habilitie to withe-
'holde it from yow, neither were yow of that
'weaknes to forbeare it, and therefore in
'common reaſon you ſhold knowe youre pri-
'vileges as well then as now; and for the
'effecteof the proclamacion, yow knowe that
'tyme hath ſo changed all things, as not one
'article thereof is performed, no not that
'whiche youre owne people may very well
'performe, and are thereunto, bothe by ſtatute
'and proclamacion, commanded; that is, in
'the delivere of ther herrings withe us; for if
'they can delyver at Loweſtofte they will
'bringe verye fewe or none to us, notwith-
'ſtanding many promiſes yerely made by
'youre baylives for the reformacion thereof.
'And althoughe we have lately tollerated
'youre baylives to have *prenominacion* to oure
'diſcredytt

'diſcredytt, wherbye yow ſeak advantage 'againſt us, we meane not to contynewe ſoche 'injurye againſt ourſelfes; but if yow ſhall 'be contented with the uſe of ſoche privileges 'here, as youre predeceſſors of olde tyme, 'and till of late have frequented, we will ac-'cepte yow as oure frends, and uſe yow with 'that frendſhippe and curteſye as apperteyn-'ethe, as knowethe God, who aſſiſte yow 'in all youre counſells. At Yarmouth the '20th of Auguſt, anno 1575.

'Your lovinge frends,
'the bailyffs, burgeſſes, and
'comynaltie of Great Yarmouth."

Amongſt many ſchemes, for effecting a more perfect and permanent reconciliation between theſe contending parties, at this time in agitation, it was propoſed to make Yarmouth a member of the Cinque Ports, as appears by a motion made for that purpoſe by the bailiffs of the Cinque Ports, the 16th of October, in the 16th of Elizabeth, to which the major part of the corporation of Yarmouth aſſented. And on the 29th of the ſame month, it was agreed, at an aſſembly then holden, "That the two following things be remem-"bered at the parliament: viz. to make this "town a member of the Cinque Ports, and

"that the ſetts on the waters be granted to "the town in fee." But whether this was ever brought before the houſe, or by what means it was not effected, does not appear.

In the 18th of Elizabeth, however, all matters were finally ſettled by commiſſioners appointed for that purpoſe, and an award publiſhed, to the ſatisfaction of both parties, the purport of which is as follows;

I.

That the bailiffs of the Cinque Ports, in conjunction with thoſe of Yarmouth, ſhall, during the fair, adminiſter juſtice and keep the peace, as uſual.

II.

That the ſaid bailiffs, in conjunction, ſhall have the holding and determining all pleas, moved or depending and determinable, during the fair, according to the *lawe-merchaunte*.

III.

That the priſon there ſhall be kept jointly by the ſaid bailiffs, for all priſoners committed or remaining there during the fair. And at their firſt coming, to view the priſoners and enquire the cauſe of their impriſonment.

IV.

IV,

That the prenomination of the ſtile of the court be (*alternis vicibus*) one year to Yarmouth, the next to the Cinque Ports. And the nomination of the firſt turn to be made by two of the commiſſioners, one on either ſide.

V.

That the bailiffs of the Cinque Ports, as well as thoſe of Yarmouth, with their ſeveral uſual officers and ornaments, do aſſemble together at the uſual place, and then, in the name of *all* the bailiffs there preſent, without particular nomination or prenomination of either party, proclaim the fair, as uſual.

VI.

That the Cinque Ports bailiffs exert themſelves to prevent their own fiſhers, and others, from diſcharging any herrings or other merchandize, during the fair, at any place within ſeven miles of Yarmouth, except at Yarmouth, agreeable to the edict made between Yarmouth and the Cinque Ports.

VII.

That the uſual party inqueſt, half portsmen and half Yarmouth men, impannelled

to

to enquire into offences committed during the fair, be continued as before.

VIII.

That the compoſition of ſix pounds per annum, paid by Yarmouth to the Cinque Ports, in lieu of a toll of four pence for every veſſel arriving during the fair, ſhall be reduced to three pound ten ſhillings only, which ſhall be conſidered in full payment and no arrears demanded; no boats or ſhips belonging to the Cinque Ports being chargeable with the ſaid four pence.

IX.

That the inhabitants of the Cinque Ports, with their members, ſhall be free of all taxes and cuſtoms, for their ſhips and goods, and enjoy all their cuſtomary privileges, not contrary to theſe articles. And that they may diſpoſe of their herrings, as uſual, without interruption from the bailiffs of Yarmouth.

X.

That the bailiffs of the Cinque Ports ſhall award no *ſuperſedeas* of themſelves to ſet any perſon at liberty, committed by the warrant of the bailiffs of Yarmouth, without the conſent of one or both of the ſaid bailiffs. And, on the contrary, the bailiffs of Yarmouth ſhall not

not do the like, with reſpect to any perſon committed by the ports bailiffs, without a like conſent from them. But that every *ſuperſedeas*, or other diſcharge, ſhall be by the conſent of one or both of the bailiffs who granted the warrant during the fair.

According to the indorſement of theſe articles, the firſt prenomination after, was in the Cinque Ports, determined by the two commiſſioners appointed, by caſting lots.

After this, we do not find any thing material upon record, contrary to peace and good order, till 1634, when Edward Owner, one of the bailiffs of Yarmouth, refuſed the ports bailiffs their uſual ſeat with them, and otherwiſe inſulted them, which cauſed them to petition to the earl of Arundel and Surry, then earl Marſhal, who accommodated the difference, and recommended a more courteous carriage, and friendly demeanor, in future.

All animoſities, at leaſt of any import, ſeem here to have terminated, there being nothing upon record contrary to that ſuppoſition. But in 1662, for what reaſon does not appear, the annual compoſition of 3*l*. 6*s*. was not paid to the bailiffs of the Cinque Ports, nor does it ſeem that the ports ſent any more bailiffs in a public capacity, after that time.

Some

Some of their fiſhermen, indeed, called by the people of Yarmouth, *Weſt countrymen*, did continue to come, in different numbers, as occaſion required, till the year 1756, ſince which time not one of them has come to the air.

From ſometime in the reign of Queen Elizabeth, till the above mentioned year, when Yarmouth diſcontinued payment of the compoſition, the ports had only ſent two bailiffs to the fair; the manner of whoſe election, to that office, the order of their proceſſion and reception at Yarmouth, may not be unentertaining to the reader.

Manner of electing, ſending, and receiving the PORT BAILIFFS.

The two bailiffs that were ſent to Yarmouth were diſtinguiſhed by the appellations of *bailiff of the Eaſt Ports*, and *bailiff of the Weſt Ports*.

Under the denomination of *Eaſt Ports* were Sandwich, Dover, Hithe, and Romney; that of the *Weſt Ports*, Haſtings, Rye, and Winchelſea.

Haſtings and Dover ſent together, one year

year; Hithe and Rye another; Haſtings and Romney next; then Sandwich and Winchelſea. So that, from the want of another port, Haſtings ſent two, in the rotation, to the other's one.

They were generally elected in June or July, by the common aſſemblies of the particular towns whoſe turn it was to ſend, and were preſented to the general aſſembly of the Cinque Ports, and the towns of Rye and Winchelſea, on Tueſday after the feaſt of St. Margaret, to be by them approved, acknowledged, confirmed, and deputed, the repreſentatives of the Cinque Ports at Yarmouth free-fair. And if any objection appeared to either of the perſons elected, an order was given for another to be elected in his ſtead. The perſons choſen were jurats of the particular towns where they are elected, and have their commiſſions ſealed, one by the common ſeal of the Eaſt Ports, the other by that of the Weſt Ports.

The day before Michaelmas day, was the time fixed on for their coming to Yarmouth, to a houſe hired for that purpoſe; and with them there came their learned counſel, a town-clerk, two ſerjeants bearing white rods, one French-horn man, one ſtandard bearer,

carrying

carrying a banner of the arms of the Cinque Ports, and a jailor. When arrived, they were waited on, at their houſe, by the body corporate of Yarmouth, in their formalities, who gave them welcome, and entertained them that evening.

The next day the ports bailiffs repaired to church to hear divine ſervice, when they were invited by the bailiffs of Yarmouth to take place with them, in their ſeat. This was mere courteſy, for the ports bailiffs could not claim ſuch honorary indulgence, by right.

After ſervice was over, they took leave; and the bailiffs of Yarmouth, with their brethren in their ſcarlet robes, directly proceeded to the toll-houſe, where the bailiffs elect, having taken their charge, and the inferior officers being choſen and ſworn, ſent for the port bailiffs, who generally on their firſt entrance, made a ſhort ſpeech, purporting the nature of their office, and deſiring to be received and reſpected accordingly; at the ſame time exhibiting to the bailiffs of Yarmouth their two commiſſions, from the eaſt and weſt ports, which being read, in open court, they were then, and not before, admitted to take place with the bailiffs of Yarmouth.

After

After this, the names of them and their attendants were recorded by the recorder of Yarmouth, or his deputy, in the court book for the following year. Then they all viewed the priſoners in Yarmouth goal, and agreed upon the holding of the firſt fair-court; whence they adjourned to the hall, where the ports' bailiffs were entertained at dinner by the ſenior Yarmouth bailiff, and at ſupper by his copartner, the whole day and evening paſſed in ſocial mirth and feſtivity.

On the firſt court day, a jury of 12 men, 6 from Yarmouth and 6 from the ports, were ſummoned, and called the *queſt of the free-fair*. Theſe were to inquire into offences and miſdemeanors committed during the free-fair, and to deliberate on ſeveral other matters, expreſſed in articles delivered to them; agreeable to whoſe verdict offenders were to be puniſhed.

On the ſecond court-day (which was generally in the following week) the junior bailiff provided an elegant dinner for the ports' bailiffs, to which were alſo invited the aldermen of Yarmouth, their brethren, wives, &c.

In

In return for theſe civilities, the ports' bailiffs kept open houſe, in a manner, during their ſtay; for all the principal gentry of the town and neighbourhood found a welcome at their table, and their own countrymen, in particular, looked upon their houſe as their proper home. To contribute, in ſome meaſure, to theſe entertainments, the ports' bailiffs generally brought with them ſixteen or eighteen hogſheads of excellent beer, an artiele which in ſuch perfection they could not ſo conveniently meet with in theſe parts.

But a more immediate compliment was made to the people of Yarmouth, by a ſplendid feaſt made in the third week by the ports' bailiffs, for which all the delicaciesof the ſeaſon were collected and profuſely ſpread on the tables, and to which not only the bailiffs, aldermen, &c. were invited, but all the principal gentlemen and ladies of the place.

A few days after this, the ports' bailiffs took their leave and returned home, where they made a formal report of their proceedings at the free-fair, to the whole brotherhood aſſembled; which proceedings were by them duly recorded, and for which they

they received the commendations or diſcommendations of the ſaid brotherhood, according as they approved or diſapproved of them.

Hence we may perceive, that their ſtay at the fair was ſeldom much more than three weeks, tho' by charter they were to remain there 40 days; but it was by mutual content of both parties that they ſeparated ſo ſoon, otherwiſe their liberties were in danger.

To this account we ſhall ſubjoin the articles for the better regulation and government of the fair, as they were weekly proclaimed, during the time of the fair, in the reign of queen Elizabeth.

I.

"We comaunde you, in the q. majeſties behalfe, and on the behalfe of the q. majeſties balifes here preſente, that have the peace to keepe, and fulle power of aſſize, that none be ſo hardye to make anye aſſaulte, affraye, or ryottes, neyther anye other thinge, agenſte the peace, werebye the fayer maye be diſtourbed and lette, under the payne and perrylie that ſhall enſewe.

II.

"Alſo, that no perſonne, of what eſtate

or condition he be, beare anye armoure upon him agenſte the peace, under the like payne and perrylle.

III.

" Alſo, that everye maſter of everye ſhippe, or boate, have his whole fellowſhippe within the ſhippe bourde, from the goenge downe of the ſonne unto the ſonne ariſenge, as he wille anſwer for them, under the payne and perrylle aforeſaide.

IV.

" Alſo, that no ſhippes chardge, nor diſchardge in anye place within ſeven lewkes, but onlye at the towne of Greate Yermouthe, under the payne and perrylle of the loſse of their ſhippe and gooddes, accordinge to the ſtatute in that behalfe made.

V.

" Alſo, that every baker keep the aſſize of breade in the fourme of the ſtatute, and that theye ſelle fower loaves for a pennye, two loaves for a pennye, and one loafe for a pennye, and that everye baker have his proper ſigne on his breade.

VI.

" Alſo, that no taverner of wyne ſelle nor doe

doe to be ſoulde, corrupte wyne, uppon payne and perrylle aboveſaide.

VII.

" Alſo, that no brewer ſelle, nor doe to be ſoulde, a gallon of the beſte ale above two pence, a gallon of the ſecond ale, above one pennye, uppon payne and perrylle aboveſaide,

VIII.

" Alſo, that taverners and brewers have their meaſures ſigned and ſealed, uppon like payne and perrylle.

IX.

" Alſo, that no butcher ſelle, or doe to be ſoulde, unholſome fleſhe, under like payne and perrylle.

X.

" Alſo, that no cooke do ſelle enye fyſhe or fleſhe but that which is good and helthſome for mannes bodye, under like payne and perrylle.

XI.

" Alſo, that none, of what condition he be of, nor ſelle by buſhell, gallon, yard, elle, or with anye other meaſure, by onlye with ſuche as accorde with the ſtandard, under like perrylle.

XII.

" Alſo, that no foreſtallor or regrator, foreſtalle or regrate anye victualles comenge to the market, wherebye that vitayle is the derer to the common people, under like payne, &c.

XIII.

" Alſo, that none, of what condition ſo ever he be, ſelle nor doe to be ſoulde, enye manner of corne before a certen hower; that is to weete, before they heare a certen belle in the market ſounded, and ronge, by the ordinance of the ſaide balifes, under payne of forfetinge all the corne ſoulde contrary to that ordinance.

XIV.

" Alſo, that nothing be encroched uppon the ſtronde and denne in the ſaide towne of Yarmouthe, to the anoyance of the barons of the Sinque-Portes, under the like payne and perrylle."

Of

CHAP. VIII.

Of the fortifications of Yarmouth, from the firſt foundation of the walls, to the preſent time.

THE ſituation of Yarmouth, being, as it were, the key or grand entrance, by ſea, into the counties of Norfolk and Suffolk, it is not to be wondered at, that, after it had acquired ſome degree of importance, as a ſea port and commerical town, it ſhould be thought neceſſary to provide for its ſafety by ſome more ſubſtantial means than the adventitious advantages ſo open a ſituation could naturally afford. Accordingly we find, in the year 1260, in conſequence of the burgeſſes's petition, that King Henry III. by his letters patent, granted them leave to build a wall and make a moat round the town It does not, however, appear that the walls were then begun, notwithſtanding the voluntary contributions of many of the principal inhabitants tended thereto; which was chiefly occaſioned by ſome domeſtic quarrels, and private animoſities amongſt themſelves.

Nor is it certain that they were begun before the 13th of Edward I. and even from that time, ſo ſlow was the progreſs they made, there appears a term of 101 years when the walls were yet unfiniſhed; which is evident from the will of John Rayle, of Yarmouth, dated 24th of September, 1386, in which is this clauſe; *Item, do et lego ad muros claudend'* xxs. *&c. &c.* i. e. "Alſo, I give and bequeath, towards the finiſhing the walls, 20s. &c."

In this long interval, it muſt be acknowledged, the work was not progreſſively carried on. Many accidents contributed to its delay, and particularly a terrible plague in 1349, which carried off moſt of the inhabitants of Yarmouth, and the neighbourhood, reducing their trade to a very low ebb; whence it may naturally be inferred, that having leſs to defend, they were leſs anxious for its defence, and of courſe neglected their walls, for the more important concerns of reviving their trade.

In order to aſſiſt the inhabitants in carrying on this work, they had a grant from the king, empowering them to collect a cuſtom called *murage*, which was levied upon ſhips arriving at their port; but about two years after, in

1262

1262, the walls not being yet begun, and it being yet undetermined when they actually would be begun, the merchant ſtrangers preferred a complaint againſt the town, for the impoſition, upon which the cuſtom was annulled, and the monies already collected, on that account, ordered to be refunded for the king's uſe. This ſeems to have been a principal reaſon, why they were neglected ſo long as the reign of Edward I. as we have above intimated.

This grant of murage had only been allowed for a limited time, renewable at the king's pleaſure, the rates of which were collected by four wardens, called *muragers*, annually elected, and were as under:

For every alien ſhip ——	6d.
All ſorts of merchandizes, *ad valorem*, per pound ——	1

☞ *Of theſe were ſuch as are not below ſpecified.*

For every hundred of boards ——	$0\frac{1}{2}$
Every four treys of ſea coals ——	1
Every cwt. of ſalt-fiſh —— ——	2
Every laſt of herrings imported ——	2
ditto exported ——	4
Every cwt. of iron —— ——	$0\frac{1}{2}$
Every carrat of lead —— ——	2

Every barrel of pitch imported —— 1
ditto exported —— 2
Every wey of salt —— —— 1
Every pipe of wine —— —— 1
Every tun of ditto, called *dolium*, —— 2

And so on, for several other articles.

In an account of the monies collected by this grant, for one year, from the 16th to the 17th of Edward III. intitled *Muragium Magne Jernemuthe*, (the Murage account of Great Yarmouth) the aggregate sums of the six rolls it contains, appear as follows:

	£.	s.	d.
Roll I. from August 3d. to September 27th	7	12	7½
II. from September 27th to October 7th.	10	17	0
III. from October 7 to the 20	19	7	4
IV. from October 20th to November 9th	11	3	3
V. from November 9th to March 22d.	11	0	3½
VI. from March 22d. to August 2d. inclusive	6	7	5½
	£.66	7	11½

This was no inconsiderable sum, for the produce

produce of one year, at that early period; and it may not be amiſs to obſerve, from this account, of what importance to the town, the fiſhery and free-fair was; ſince there was nearly three times the money collected in the three months in which the fair happened, that there was in all the remaining nine months.

The town wall conſiſts of ten gates and ſixteen towers, and is about 2238 yards in circumference. It is probable that the north-eaſt tower, in St. Nicholas's church yard, was the firſt part of it that was built, as it was begun on the eaſt ſide and thence proceeded ſouthward. This is the more probable, as we find them, in the 11th of Edward III. employed, at the ſouth end of the town, about the Black Friars; and thence trace them to the north end, which in all probability was laſt finiſhed.

Tradition ſays, the north gate was erected at the expence of thoſe who had been employed in the dangerous and ſhocking office of burying the multitudes of dead, in the time of the plague, by which they had gained very great ſums.

The building of the wall was ſucceeded by the ſinking of a moat all round the town, over which bridges were thrown at every gate,

gate, and which proved a great convenience to the inhabitants, as it was navigable for boats, whence they could unlade their goods at any part of the town, agreeable to the convenience of the inhabitants. The magistrates were likewise very attentive to its preservation, as we find several fines levied on persons, for throwing in rubbish &c. tending to fill up the moat.

Thus fortified, the town was deemed impregnable to all the warlike engines of those days; but afterwards, when the more powerful effects of great guns were experienced, in sieges &c. these fortifications were deemed insufficient to their safety, without additional out works.

Upon the declaration of war, therefore, in the 36th of Henry VIII. against France and Scotland, Thomas, duke of Norfolk, was directed, by special commission, to examine the fortifications; who, upon his arrival here, ordered all the gardens &c. adjoining the walls, to be laid open, and a great part of the east part to be strengthened with a rampire of earth, heaped up against it on the inside. This he effected by ordering all those little sand banks, which the sea and easterly wind had raised on the Denes, to be brought

brought by the inhabitants and laid there, for that purpoſe; and in about fifteen weeks, the town was thence ſuppoſed to be ſufficiently fortified againſt both enemies.

In the 5th of Queen Mary, 1557, the inhabitants further improved this additional work, in which they were employed more than three months, working 3 days in every week. This rampire, however, was not entirely finiſhed till the 29th of Elizabeth, 1587, the year preceding the grand armada of Spain, which was to have invaded England. It then appears to have been compleated (from the Black Friers to the market gate) quite to the top, making a ſtrong rampire of earth and other materials, to the breadth of forty feet from the walls. This was further rendered an object of pleaſure and convenience, at the particular inſtance of Mr. Greenwood, one of the bailiffs, who ordered the rampire to be connected, at all the gates, by means of brick arches, thrown over the road; ſo that now ſeveral perſons might walk a breaſt, along the rampire, having an extenſive ſea view, from an agreeable elevation; a circumſtance that afforded much ſatisfaction to ſtrangers viſiting Yarmouth.

The year following, the Spaniſh armada approaching

approaching the coaſt, the Black Friars and priory were alſo rampired, and, by the direction of Sir Thomas Leighton, a ravelin was formed on the eaſt-ſide of the Black Friars, and was for ſome time kept in repair by the town; but it has been long ſince levelled, and at preſent no veſtiges remain.

In the ſame year the moat without the ſouth walls was compleated, and a boom was conſtructed and put up, acroſs the haven, between the two jetties at the ſouth chain, and two men appointed to take charge of it, to ſhut and open it at convenient times, according to the tides, but by no means to leave it open in the night, or to ſet it open before day light. The charge of this, was £107 15s

For their greater ſecurity, the inhabitants, in 1590, raiſed a mound of earth much higher than the wails, weſt of the ſouth gate, and eaſt of the boom, on which were placed ſeveral large pieces of ordnance, ſo as to command the river and the Denes. This coſt the town £125.

But to return to the year 1588; the lords of the council then addreſſed their letter to the deputy lieutenants of Norfolk and Suffolk, recommending them to levy certain ſums on thoſe counties (as being, from their contiguous ſituation, deeply intereſted in the

fate

ſate of Yarmouth) for the better fortification of the town. In this they were to be aſſiſted by the county magiſtrates, &c. and the money to be paid into the hands of the bailiffs of Yarmouth; "nevertheleſs (ſay the lords) "we do will that this charge may rather "grow of a voluntary contribution, and good "care they have of the common ſafety, of "themſelves and the realm, than by any "taxing on forcing impoſition."

Upon this, the deputy lieutenants and the juſtices met, and aſſeſſed the ſum of £1355 4*s.* 9*d.* on the county of Norfolk, proportioned as under:

Lynn, to pay	£. 26	13	4
Yarmouth	23	6	8
Norwich	333	8	6
The County	971	18	1
	£1355	4	9

It alſo appears that the inhabitants of Yarmouth did not only intereſt themſelves in their own particular defence, but fitted out a man of war, to join her majeſty's fleet, called *The Grace of God*, commander Captain Muſgrave, who was to have £.45. per month for himſelf, and 13*s.* 4*d.* per month for

for every man's board, that ſerved under him. If any prizes were taken by him, the town was to have a third part, the ſhip a third, and the company a third, provided no part of it were embezzled before it was duly preſented to the town.

So much in the ſpring of this year, was a deſcent upon Yarmouth apprehended, from this *invincible armada*, as it was falſely termed, that the whole circumjacent country was obliged to lend their aſſiſtance with carts, pioneers, &c. to ſtrengthen and extend the fortifications, by rampires, mounts, ravelins, trenches, &c. in the execution of which the utmoſt diligence was purſued, the inhabitants working by two wards at a time daily, one in the north, the other in the ſouth end. Beſides a thouſand ſoldiers ſent into the town, for its defence, by the lords lieutenants, the whole town was, in a manner, converted into a militia. All that could bear arms were employed, and commerce was at a total ſtand. Some learned the military diſcipline, ſhooting at butts, providing ammunition, &c. others prepared to ſerve in the royal navy. St Nicholas's ſteeple was uſed as a watch-tower, where four diſcreet perſons were appointed

the

to attend every day, to give intelligence to the town, on the appearance of the enemy.

Queen Elizabeth had, long before this, thought the preſervation of the town ſo much a national concern, that a parcel of military ſtores had been ſent for its defence, and that of the adjacent country, the bailiffs and burgeſſes being bound to keep the ſame conſtantly fit for ſervice; and, indeed, there are ſeveral inſtances where the town's ordnance has been of much ſervice againſt public and private enemies, in Yarmouth roads.

In 1625, in conſequence of an order from the lord lieutenant, a ſurvey of the fortifications was made, and a report delivered, under the hands of Sir John Corbett and Sir Francis Mapes, the purport of which was as follows:

"For the better ſecuring the ſhips in the haven from firing by ſhallops, or flat bottom boats, ſent from the enemy, a jetty ſhould be made of timber, on either ſide the haven, with a boom acroſs, to open and ſhut at pleaſure, like that erected in 1588, now decayed, the expence of which will be about £.120.

"That 12 feet return of the wall be made which

in the town, on the ſide of the haven, by which a convenient place will be made at the foot of the wall for the planting of two good culverins or ſakers, to command the haven ſeaward, and the Denes, by the haven's ſide, to the great danger of any attempt made in that quarter. The charge about £.10.

"That three pieces of large ordnance be planted upon the mount, by the boom, for the guard of the haven's mouth, &c.

"That a murdering piece be planted on the eaſt tower of the ſouth gates.

"That the towers between the ſouth gates and the new mount, be rampired with earth; that in the three of which, called the Friers tower, the ſouth eaſt tower and Harris's tower, there be placed a good piece of ordnance each; the ſituation being commodious for ſcouring the walls from tower to tower, and for commanding the Denes ſeaward, and ſhips in the roads.

"That upon the new mount be planted three good pieces of ordnance; and upon the bulwark beneath ſeaward, be mounted five other pieces of cannon, three to be beſt culverins, for commanding ſhips in the roads, and two ſmall pieces.

"That

" That two pieces of ordnance be mounted on the market gates, where formerly there had been ordnance.

" That upon King Henry's tower be planted two good pieces of ordnance, for commanding the enemy landward.

" That a piece of ordnance be planted on either ſide of the end in the wall, north of King Henry's tower.

" That on the tower, weſt of the north gates, a piece of ordnance be planted, to command that end of the town, and the haven's ſide.

" That 24 pieces of ordnance are thought neceſſary for the defence of the town, of which there are in the town at this time thirteen pieces, five braſs and eight iron.

" That part of the walls are unrampired, the charge of remedying which would be very conſiderable.

" That the ſixteen towers on the walls ſhould be rampired up with earth, and the tops even with the walls, &c.

" That two pinnaces are neceſſary to attend on the coaſt, to give notice of any intended deſcent.

" That they have licence to erect an artillery yard, like thoſe of Norwich, Bury, &c.

for the training the men, and preſerving the arms ready for ſervice.

"That the ſituation of this town is of ſuch importance, that it ought to be made capable of both offence and defence; and that if meaſures are not immediately taken for its better fortification, a ſmall force would take it by ſurprize, to the great detriment of the adjoining country, and to the diminution of the revenue, in the cuſtom-houſe, to the amount of £5000 per annum."

Soon after this ſurvey, the town had their ordnance augmented to 30 pieces; and received, by order of the lords in council, 50 barrels of powder at the government price.

This relief was the more ſeaſonable, as they had been ſo harraſſed by the Dunkirkers, for two years paſt, that they had loſt, in goods and ſhipping, to the amount of upwards of £25000. Beſides that it had coſt them, the laſt year, in powder and repairs of the fortifications, £300. not to mention the expence of 100 muſketeers watching nightly, for fear of a ſurprize from theſe invaders, who were always within a few hours ſail of them.

Upon

Upon the receipt of the proclamation of Charles I. in 1642, at the commencement of the civil wars, with the contra-declarations of the parliament, the town determined in favor of the latter, and immediately prepared to fortify themſelves againſt the royal troops. Hence a committee was appointed, to enquire what additional fortifications might be neceſſary to their defence.

The reſult of this enquiry was, That there be added, a ditch or moat, before the north-gate walls, of 60 feet wide, and eight feet deep, from the narrow river without the north gates, to be carried thro' the town's cloſes, (now gardens) and thro' part of the Denes, before the north walls, the church-yard walls, and priory walls, as far as the pudding gate, for the defence of that part of the town, then thought to be moſt expoſed to danger. This was accordingly executed with the greateſt expedition.

After this they applied to the parliament, and obtained ſeveral large pieces of ordnance, and other munition, with a promiſe of an order for a county rate, to reimburſe them for the expences they had incurred in theſe reparations.

In the reign of James II. all the braſs,

and ſeveral of the iron ordnance were taken away. After this, there is nothing material recorded, on this ſubject, and the number of cannon at preſent remaining, is only twelve.

CHAP. IX.

Of the part Yarmouth took in the troubleſome times of Charles I. and II.

HAVING given an account of the fortifications of Yarmouth, with ſuch matters as naturally occurred in the relation, it may not be immethodical to purſue the military ſubject, and ſhew the conduct of the town, during thoſe unhappy commotions, which blot the annals of Engliſh hiſtory with Engliſh blood.

King Charles I. being at variance with his parliament, diſſolved it on the 10th of March 1629, and for ſeveral years governed without it; but being diſtreſſed for want of ſupplies, his attorney general, Mr. Noye, ſuggeſted to him the idea of *Ship-Money*, a ſpeeies

a ſpecies of tax, which he was to levy on all the maritime counties of England and Wales, for which purpoſe he iſſued out his writs in 1634; againg which petitions were preſented from ſeveral parts, on a juſt ſuppoſition of its being an unconſtitutional meaſure; but *neceſſitas nullam habet legem*; money was wanted, and no mitigation or exemption could be obtained.

Agreeable to the king's writ, the county of Norfolk was enjoined to find a ſhip of 800 tons burthen, and 260 able ſeamen, with neceſſary ordnance, ſmall arms, ammunition, proviſion, &c. This writ was directed to the bailiffs, mayors, burgeſſes, &c. of Yarmouth, Norwich, King's Lynn, and Wiſbech. A meeting of the gentlemen concerned was, therefore, convened at Norwich, the reſult of which was, that "upon reading of his majeſty's writ, for "preparing ſuch a ſhip of war as in the "ſaid writ is mentioned, it is firſt pro-"pounded, Whether ſuch a ſhip as is men-"tioned in his majeſty's ſaid writ, can be "provided in the county of Norfolk, *Yea* "or *No*; and it is generally conceived that "there is no ſuch ſhip to be had."

It further appeared to this meeting, that the charge of ſuch a ſhip would be at leaſt £.5860, and a petition was, in conſequence, agreed to be preſented againſt it.

The reaſons urged on the behalf of Yarmouth, againſt the meaſure, were, That the town conſiſted of ſeveral thouſand poor fiſhermen, who, notwithſtanding the great plenty of fiſh, were obliged to remain indebted for the proviſions of their voyages, till their return from ſea and diſpoſal of their fiſh; That they were at very great expences in the repairs of their haven, piers, fortifications, bridges, &c. were much in debt, the intereſt of which, joined to the ſaid expences, with a very heavy poor rate, amounted to £.2550. per annum, for the diſcharge of which they had no lands, but were intirely dependent on their own induſtry, and the providential aſſiſtance of a maritime trade; and finally, that they were ſo much diſtreſſed by the frequent depredations of the Dunkirkers, their loſſes by ſhipwrecks, their ſufferings by the late grievous viſitation, &c. that in the ſpace of eight years they had loſt £.25000.

This petition, however, had not the deſired

ſired effect, and another was preſented, which was referred to the lords chief juſtices and the attorney general, but ſtill without effect.

Soon after the bailiffs of Yarmouth received a certificate from the high ſheriffs of Norfolk and Cambridgeſhire, requiring them to raiſe the ſum of £.940, being their particular portion of the general aſſeſſment; but as this appeared afterwards inſufficient for the purpoſes required, they were further aſſeſſed in the ſum of £.200. more, and after received letters from the lords of the council to haſten the payment.

The bailiffs then petitioned an abatement, by means of aſſeſſing the towns and villages on the rivers, which had a proportionate benefit of their commerce. This was more ſucceſsful, and the collection was accordingly made and paid in.

Several other ſimilar impoſitions were levied, 'till, on a ſecond parliament being ſummoned and met, in 1640, the queſtion of *ſhip-money* was debated, and it was reſolved *nemine contradicente*, "That the "charge impoſed upon the ſubjects for "providing and furniſhing of ſhips, and

" the aſſeſſments for raiſing of money, for " that purpoſe, commonly called *ſhip-money*, " are againſt the laws of the realm, the " ſubjects right of property, and contrary " to former reſolutions in parliament, and " to the petition of right."

And on the 7th of Auguſt, the next year, 1641, an act for aboliſhing ſhip-money received the royal aſſent, and ſo terminated that unwarrantable ſtretch of royal prerogative.

The following year, 1642, the town having declared for the parliament, as we have before mentioned, they received an order from both houſes, not to receive or billet any ſoldiers in the town, without the conſent of parliament, and that if any ſhould otherwiſe be attempted to be forced on them, that they might reſiſt the ſame. And about a month after, they were ordered to muſter their militia, and put themſelves into a proper ſtate of defence. Hence all the buildings, &c. adjoining to the town wall were immediately taken down, the gates which were not rampired, were locked up, and the eaſt leaf of the bridge was drawn up every night.

At

At this time the whole kingdom was in arms, and the queen, who was in Holland, endeavoured all in her power to ſupport the king, by ſending him over conſiderable ſupplies of men, arms, ammunition, &c. In this affectionate employment, one of her ſhips, having received ſome damage at ſea, was obliged to put into Yarmouth, where ſhe was ſeized, the officers and ſoldiers confined, and an account of the tranſaction laid before the parliament. This was afterwards formally adjudged to be the town's property, and was accordingly afterwards fitted out for ſea, and employed by them in the ſervice of the parliament.

In 1643, the town received an order to furniſh out 80 dragoons, which, on their allegations of inability to Lord Gray, was remitted, only on condition of their raiſing an adequate ſum, for that purpoſe. This was included in their portion of the weekly ſum of £1250. levied ſoon after by parliament, on the county of Norfolk, of which they were to pay £34 16*s.* 5*d.* Norwich £53, Lynn £.27 11*s.* 10*d.* Thetford £5 11*s.* 9*d.* and the reſt of the county £1129.

Towards the latter end of this year, the earl

earl of Manchester informed the town, that the town was to have a military governor, colonel Russell, which being generally disapproved, they represented the same to the earl, who thereupon informed them, "That he was no way desirous to burthen "the town, but to secure the same, and "the islands adjacent, and in that respect, "thought it necessary to send colonel Rus-"sell hither, as for governor, &c." The colonel accordingly came, by virtue of the earl's commission, which the town looked upon in so dangerous a light, as to their particular liberties, that they used every endeavor to annul it. In this they did not entirely succeed, but obtained a qualification of it, by which the colonel, in conjunction with six other gentlemen, was invested with the same powers, which it was otherwise intended he should have exercised alone.

In 1645, breast-works, plat-forms, &c. were built near the sea side, in several places, for the placing of the town's large ordnance, as occasion required, to annoy the enemy. And the year following, the parliament ordered the town to lend the state £150, at 8 per cent. for the use of

of the forces employed in the ſiege of Newark.

In 1648, the town received letters from Lord Fairfax and others, about putting a garriſon in Yarmouth, by the friends of the royal party, and therefore the parliament ſeemed inclined to anticipate their deſign, by making it a garriſon town themſelves; but the burgeſſes having repreſented their diſapprobation of the meaſure, they were permitted to remain *in ſtatu quo*, provided they would raiſe of themſelves ſufficient forces for their own defence, which was immediately agreed to, and an augmentation of their forces made accordingly.

But after Cromwell had diſperſed duke Hamilton's army, and taken him priſoner, the independant party prevailed, and the bailiffs received a letter from commiſſary general Ireton, (an independant and ſon-in-law to Cromwell) informing them of ſomething he had to communicate to the town, and deſiring a conference at Sir John Wentworth's houſe, at Somerlitown: which being complied with, he told them that the *Lord General* had ordered the town either to be ingarriſoned, or to have the walls and forts demoliſhed, and a fort built at the haven's

haven's mouth, to ſecure the town againſt enemies at ſea. Of this the deputation was to determine on, in a few hours; but they only requeſted his forbearance of ſending in the troops, till meſſengers could paſs between them and the *Lord General*, and if that could not be complied with, that his producing the *Lord General's* commiſſion, would inſure obedience on the part of the town.

Accordingly colonel Barkſtead's regiment was admitted to be garriſoned in the town, which alſo advanced £400, to furniſh the ſoldiers with a month's quarters, &c. And in order to prevent free quarters, the aldermen and conſtables of the wards, went about with the officers to ſee the men's quarters duly paid.

After the decollation of King Charles, the next year, the proclamation, for-bidding to proclaim Charles Stuart, prince of Wales, or any other, to be king of this realm, was openly read and agreed to. And towards the latter end of that year, *the engagement*, appointed by parliament to be taken and ſubſcribed to, was tendered by the bailiffs to thoſe who were preſent at an aſſembly then holden, but many refuſed to comply with it.

After

After the death of Oliver Cromwell, in 1658, a committee was appointed, and an addreſs drawn up and preſented to his ſon Richard, acknowledging him his ſucceſſor, as *Lord Protector*, and offering their ſubmiſſion to his government; which, as it is a moſt curious ſpecimen of abject ſervility, and fulſome adulation, (not to ſay blaſphemy) we cannot refuſe it a place, diſgraceful as it is to the annals of the town, and the principles of the progenitors of the good people of Yarmouth.

'*To his highneſs*, RICHARD, PROTECTOR OF THE COMMON-WEALTH *of* England, Scotland, *and* Ireland, *the dominions and territories thereto belonging*.

'*The humble petition of the* bailiffs, aldermen, and common-councilmen *of the corporation of* Great Yarmouth, *in common council aſſembled*.

'WE cannot without deepeſt, and moſt ſad *reſentment* remember that late *dark diſpenſation* of the moſt wiſe God, in taking

'taking out of this world your highneſs's 'moſt renowned father, *the prince and leader 'of his people*, in the three nations, tranſlat-'ing from a temporal to an immortal crown; 'which we have great cauſe to lament, 'being ſmitten of God, for our many ſins, 'and afflicted: ſo *good*, ſo *great a man*, the 'captain of the Lord's hoſt, being fallen in 'Iſrael, and who is not made weak? But 'as that is far better to him, ſo it proves 'not ſo ill to us as was juſtly feared, our 'puniſhment being far leſs than our deſerts; 'it pleaſing our good God to bind up our 'wounds, and to heal the breach of the 'daughter of his people, by your highneſs's 'ſo immediate peaceful ſucceſſion, after ſo 'many *curſed plots of the ſons of Belial*, and '*children of darkneſs*, to cut him off before 'his time, ſo as he might not go down to 'his grave in peace, nor leave thoſe nations 'a quiet habitation, for his people to dwell 'in, under your highneſs's protection. The 'which bleſſed providence is more tranſ-'parent to our view, it breaking forth out 'of ſo great and thick a cloud of darkneſs; 'which as it was the only hope and deſire 'of your's, and the nation's enemies, ſo 'it began to clothe the face of your's, and

'the

'the nation's trueſt friends with paleneſs:
'but it no ſooner appeared than vaniſhed,
'and the ſun aroſe with thoſe glorious and
'reſplendent beams of light, diſpelling all
'thoſe former malignant and ſtupendous
'vapours, which as it cannot, without
'great unthankfulneſs, but turn our ſor-
'rows into joys, ſo it cannot, without great
'ſtupidity, but return their fears upon them,
'and their high-raiſed expectations of light,
'into the ſhadow of death, inevitably ſink-
'ing their ſpirits into an everlaſting deſ-
'pair. Eſpecially when they ſhall conſider,
'how, by a ſpecial ſeries of providence,
'they have met with nothing but ſaddeſt
'diſappointments, yea, when their hopes
'were at the higheſt, in the late wars,
'both the then conteſting parties ſolemnly
'appealing to the great God of hoſts to
'make a juſt and righteous deciſion, when
'clouds and darkneſs were round about
'him, that he made it appear in our
'ſights, and in the eyes of all the nations,
'that judgment and righteouſneſs were the
'habitation of his throne, for he clothed
'himſelf with vengeance, *as with a cloak*,
'and went forth travelling in the greatneſs
'of his ſtrength to ſave the poor, and de-

'liver

'liver the needy from him that puſhed at
'them; And now hath called forth your
'highneſs in peace, to protect his people
'in thoſe goſpel and civil liberties which
'were chiefly in the eyes, and upon the
'hearts of all thoſe who did at firſt con-
'ſcientiouſly engage and hazard their lives,
'in the high places of the field, where
'many fell, leaving us to inherit them,
'as the prices of their blood. In proſe-
'cution and ſecurity thereof, thro' the aſſiſt-
'ance and grace of the moſt high God,
'we, *though unworthy to be numbered amongſt*
'*the leaſt of the tribes of Iſrael*, ſhall not be
'wanting in our utmoſt to follow your moſt
'hopeful and happy conduct, and continual-
'ly to pray that the Lord that hath called
'you, would enable you with a ſpirit of wiſ-
'dom, a ſpirit of council, and of the fear of
'the Lord, to go in and out before this great
'people, and to feed them according to the
'integrity of your heart, and to guide them
'by the ſkilfulneſs of your hand. Then will
'our God ſay, I have found one, the ſon
'of my ſervant, *a man after mine own heart*,
'he ſhall fulfil all my will; and then ſhall
'Jacob rejoice, and Iſrael ſhall be glad,
'and not ceaſe to pray for the precious

'things

'things of heaven above him, and of the 'earth beneath, and the fulneſs thereof, and 'for the good will of him that dwelt in 'the buſh. Let this bleſſing come upon the 'head of your highneſs, and upon the *top 'of the head* of him, that is ſeparated 'above his brethren. Of this aſſembly we 'are,

Thomas Lucas, } Bailiffs.
John Woodroffe, }

George England; John Albertſon, &c. &c. &c.

Two years after the preſenting of this piece of ſanctified cant, (in 1660) the town changed hands, and preſented a congratulatory addreſs to Charles II. with a ſurrender of the fee-farm, before purchaſed of the parliament, as we have elſewhere obſerved. And it was ordered 'That a former grant 'made by this houſe to *Henry Cromwell, Eſq;* 'of the high-ſtewardſhip of this town, be 'from hence diſcharged; and that where 'his name ſtands recorded here, it be de-'faced, and raſed out of the records of this 'town.'

The town had the further grace, alſo, to order, 'That the addreſs made to *Richard 'Cromwell* (the late *pretended* Protector) by

'this house, be utterly disclaimed, obliterated, 'and made void, and the ordinance made 'for the presenting thereof be defaced, to 'all intents and purposes.'

After this, they obtained of Charles II. a confirmation and renewal of their charters, as we have before related, and remained firm loyalists. The reason is pretty obvious. The king had ordered prosecutions against such corporations as to his attorney general seemed meet.

Tempora mutantur, nos et mutamur in illis.

CHAP. X.

An account of St. Nicholas's Church, its donations, Monuments, &c.

WE have before had occasion to observe, that this church was founded by Herbert, bishop of Norwich, about the year 1123.

In 1251 it was dedicated, having been greatly enlarged the preceding year. At present it consists of three isles, which together make a breadth of 108 feet. The middle

middle iſle is much ſmaller than the other two, both in height and breadth, but to the eaſt extends further in length, being 230 feet within the walls. The height of the ſteeple is 186 feet, and is made of wood, covered with lead.

In the 53d. of Henry III. The prior and monks of the Holy Trinity of Norwich, held the church, valued at 100 marks; and in the 14th. of Edward I. the jurors ſay, that the prior of the Holy Trinity of Norwich holds the church of St. Nicholas, valued at 300 marks per annum, for his own uſe, &c. and they ſay that the ſaid prior and his predeceſſors have holden it from time immemorial, &c.

Plita de lib. de Gern.—Plita coron, &c.

The ſaid prior and monks had it given and appropriated to them by the founder, for 60 marks per annum; and at the reformation, the dean and chapter ſucceeded them, by whom it is now held.

The founder, alſo, made this church a priory, as a cell ſubſervient to Norwich. Three pariſh chaplains, and one deacon, uſually officiated in it, and it appears that the prior was obliged to provide them; for

in the 34th. of Henry VI. the town received a fine 'of the prior, for want of a 'pariſh chaplain and a dean, 20*s.* and un-'leſs they be provided before the feaſt of St. 'Michael next enſuing, the aforeſaid prior 'ſhall incur the penalty of eight marks.'

The prior of Yarmouth held a meſſuage, &c. formerly Robert Thurkeld's, in Thurton, and paid out of it, to the abbot of Langley, the lord there, 2*s.* 3*d.* per annum; and was afterwards poſſeſſed of other lands and tenements.

Againſt the wall, in the ſouth iſle of the church, hung formerly a chronographical table, containing a ſhort hiſtorical and deſcriptive account of Yarmouth, written in Latin, but has been taken down and defaced near two centuries ago. It appears to have been written before the reformation, by ſome eccleſiaſtics belonging to the church, which from the third article ſeems pretty evident. *In hâc urbe unum eſt valdè laudabile, quod nunquam in ea vir eccleſiaſticus, qui de peccato carnis publicè ſit notus.* i. e. 'In this 'town is one very laudable thing, that there 'never was in it an eccleſiaſtic, who has 'been publicly detected of the ſin of car-'nality.'

Such

Such articles of this table as were thought worthy to be preſerved, were tranſcribed, and placed in the Guild Hall.

The communion table ſtands in the eaſt end of the middle iſle, where, before the reformation, ſtood the high altar, and over it a loft, called the *rood-loft*, which ſupported a large crucifix, having a veſtry behind.

This rood-loft, in the above-mentioned table, is ſtiled *opus pretioſum circa magnum altare*, 'the coſtly work about the great 'altar.' It was erected at the ſole expence of Roger de Haddeſco, prior of St. Olave's, in 1370, and was very curiouſly ornamented and decorated with devices, &c. It was illuminated with lamps and candles, thence called *rood-lights*, and exhibited a very ſolemn and awful ſplendor to the ſpectator.

To theſe lights, placed before altars, images, &c. moſt people, who left legacies to pious uſes, bequeathed ſomething; their ſupport was attended with great care and expence, and they had always a cuſtos or warden to ſuperintend them. This is evident from a memorandum which we find, made in the 26th. of Henry VI. by which it appears that John Waſton and Thomas Pond had undertaken to find the light for

Corpus Chriſti, in this Church, for the ſpace of two years; and if any deficiency or negligence was proved therein, they were to be fined 5 marks, to the bailiffs, for every default.

Beſides frequent legacies, theſe lights had certain annual rents of tenements, &c. which the wardens collected; and ſo zealous was the ſuperſtition of thoſe times, that there was ſcarce a will made, but a bequeſt was beſtowed on this ſpecies of popiſh parade.

The ſaid Roger de Haddeſco, alſo, erected a neat chapel in the eaſt end of the church, which he dedicated to the Lady of Arneburgh. This chapel was ſtill ſtanding in 1545; on the north ſide was a fine organ, and to the weſt of that was the choir furniſhed with eight prieſts or monks, who compoſed a choir 'till the diſſolution. They were ſent from Norwich, and reſided under the prior here, who, as often as he thought proper, replaced them with eight others.

We have accounts of ſeveral chapels in this church. Beſides the above, called St. Mary de Arneburgh's, we find St. Catherine's, St. Chriſtopher's, St. Laurence's, the Holy Trinity's, St. Olave's, or St. Toley's, our lady

lady of the Porey's, St. Lewis's, St. Elignis's, St. Thomas the Martyr's, St. George's, King Henry's, St. Margaret's, St. Edmund's, St. Parnel's, St. Michael's, and Jeſus's. In the reign of Edward III. they were ſo very numerous, that, notwithſtanding the ſpaciouſneſs of the church, it was thought neceſſary to erect an additional iſle or chapel at the weſt end. This was begun, and was called the *new-work*, but on account of the plague in 1349, which ſwept off the greateſt part of the inhabitants, it was never finiſhed.

Theſe chapels had each its particular image, altar, light, &c. which were principally ſupported by a ſociety, called a *Guild*; of theſe we find the Brown Rood Guild, the Guild of St. Criſpin and Criſpiana, the Guild of St. Chriſtopher, the Guild of St. Eraſmus, St. George's Guild, the Guild of our Lord's Aſcenſion, the Guild of Holy Croſs, St. John's Guild, the leſſer Guild of the Holy Trinity, the Guild of St. John Baptiſt de Rolleſby, St. Margaret's Guild, the Guild of St. Mary de le Pere, the Guild of St. Mary in Erneſburgh, the Guild of our Lady of St. Nicholas's church, the Guild of

the Holy Ghost, the Guild of St. Nicholas. These were the principal guilds, though there were probably many more. They had most of them particular possessions of real and personal estates. They had each of them an alderman, who was acccountable to two auditors for their respective transactions, which were therefore regularly registered; and their several members were permitted to make public processions, through the town, on particular occasions.

In two old church books, mention is made of several organs and vestries in the 14th. and 15th. centuries. There also appears to have been some pantomimical machinery, in order to represent the star, as appears from these articles:

In 1465, *Paid for leading the star, 3d. on the twelfth day.*

——— *Making a new star.*

In 1506, ——— *For hanging and scouring the star.*

——— *A new balk line to the star, and rysing the star, 8d.*

In 1512, ——— *For a nine thread line to lead the star, &c.*

In

In 1465, alſo, there appear to have been ſeveral ſums diſburſed on account of the ſepulchre, for ſetting it up, mending of angels, tending the light, &c.

Several other memorandums of the 14th. and 15th. centuries, alſo occur; amongſt which are diſburſements for covering images in Lent, hanging up the veil; for bells and bell-ropes; for making a ſhip, to hang in the church; for ſetting up and taking down the paſcal, painting it, a new *fore-lock* to it, &c. In 1485, a new pair of cenſers, containing 81 oz. workmanſhip and guilding 14*d.* per oz.

Inventory of the church goods in the new veſtry, in 1502.

A principal veſtment of cloth of gold; *i. e.* a cheſapyll and a cope of one ſuit; eleven toneclys (tunicles) of the gift of Sir John Faſtolf, knight.

A book for the prior (Thomas Hoo) with a cuſhion of velvet, and a cloth of ſilk.

A temple, ſilver and gilded, containing 168 oz.

A ✝ with Mary and John, ſilver and gilded, containing 86 oz.

Eight

Eight chalices, the beſt gilded, and weigh 46 oz.

A relick of the oil of St. Nicholas, the gift of Dawn John Hoo, prior.

A relick of St. Margaret.

——— of St George, in gold.

——— of the Holy Thorn, in ſilver.

——— of St. Maurick, in copper.

Before the reformation it was a cuſtom for the prior and monks, and afterwards for the dean and chapter, or their farmer of this parſonage, to provide a breakfaſt for the inhabitants of this town, every year, on Chriſtmas day; which cuſtom continued till the 21ſt. of Elizabeth, when, on account of a grievous plague, which carried off two thouſand of the inhabitants in one year, and on conſideration of the ruinous condition of the parſonage houſe, it was agreed that Thomas Oſborne, who was then farmer of the parſonage, ſhould pay five pounds a year to the church wardens, for the uſe of the town, in lieu of the ſaid breakfaſt.

After the plague had ceaſed, the breakfaſt was reſumed and continued, as uſual, till the reign of James I. when William Goſtlynge, then farmer, abſolutely refuſed to provide it, or to pay any equivalent compoſition.

poſition. Upon which the town preferred a complaint to the dean and chapter, who promiſed not to countenance him in ſuch a non-conformity to the terms of the leaſe by which he held of them.

Mr. Goſtlynge's allegations, on this occaſion, were ſpecious enough, but it is to be imagined that his motives were leſs moral than intereſted, notwithſtanding the plauſibility of his reaſons. He ſays,

'*Firſt.* In regard of the danger of gathering together of at leaſt a thouſand people, the moſt part of them being of the rudeſt and baſeſt ſort, all which meeting, there hath been oftentimes danger of murther, by quarrelling and fighting amongſt themſelves, and alſo breaking of windows, tables, ſtools, pots, glaſſes, and many other diſorders, which by no means can be prevented.

'*Secondly.* By the profaning of the birth-day of Chriſt, at which time, by the law of our church, the communion ought to be adminiſtered, which by this diſordered meeting is always put by, and the greateſt part of them being drinking and ſwaggering until eleven of the clock, going neither to ſervice nor ſermon.

'*Thirdly.*

'*Thirdly.* It is beneficial to none; the 'better ſort, for the moſt part, contemn-'ing it, and the pooreſt of men, eſpecially 'upon that day, are invited by their neigh-'bours, and ſo no need of charity in giving 'a piece of bread and cold meat in the morn-'ing, going to another place to dinner.

'*Fourthly.* The town hath much in-'jured both the church and the farmer, in 'detaining of a houſe theſe nineteen years, 'worth four pounds per annum, which hath 'always belonged to the parſonage, to the 'damage of the farmer, fifty-four pound, at 'leaſt.

'*Fifthly.* Whereas other farmers that kept 'this breakfaſt, gave towards the maintenance 'of the preacher and miniſter, not above 'thirty pounds per annum, the reſt of their 'maintenance being paid out of the town 'ſtock. The now farmer, being deſirous for 'the ſettling of a ſufficient miniſtry there, 'and for peace ſake, of his own good will, 'doth give one hundred marks, and above, 'per annnm, and ſo the town is thereby 'much eaſed, and the farmer overcharged. 'In reſpect whereof, he thinketh it reaſon-'able not be charged with this unneceſſary 'and unprofitable charge of the breakfaſt.'

Theſe

These allegations, however, did not appear sufficient to exculpate Mr. Gostlynge, to the lords of the privy council, before whom the matter was brought; for they obliged him to sign an agreement, whereby he engaged to pay yearly to the town, in lieu of the breakfast, ten pounds, which was distributed to poor fishermen, &c. and five pounds for his default, in before refusing to provide the breakfast. This continued till the making of a new agreement, between the corporation and Mr. Gostlynge, of a grant of nomination and appointment of preachers and ministers in the town, since which it seems that both breakfast and composition shared the fate of all human institutions, and sunk into oblivion.

After the death of the said William Gostlynge, Charles, his brother and executor, confirmed, in 1624, an agreement formerly made by his said brother William, with the corporation, on a complaint made by the latter to the dean and chapter of Norwich, 'that 'the impropriate rectory of Yarmouth was 'not supplied with able and sufficient pastors 'or ministers;' the purport of which agreement was, that the corporation should nominate and elect their own ministers, for the remainder of his lease.

At

At the time of the above confirmation, Mr. Wilkinſon was miniſter of the church, who having preferment elſewhere, imagined the town would with-hold from him, on accouut of his non-reſidence, their annual ſtipend of twenty-five pounds, in lieu of his offerings, and therefore, without ceremony, demanded them of his communicants, whom he threatened with excluſion from the holy communion, in caſe of a refuſal; but upon an after conference with the town, finding they did not intend to deprive him of the compoſition, a reconciliation took place, and he returned the money he had already received of the people, intimating at the ſame time his deſire of living upon good terms with them, ſo long as he ſhould hold the living.

Mr. Wilkinſon, however, left his cure ſoon after, and put a period to this formal friendſhip. At which time a vacancy enſued, on account of the dean and chapter's oppoſing the town's nomination and appointment of a miniſter, agreeable to the terms of their agreement with Mr. Goſtlynge; and accordingly the lord biſhop of Norwich, by lettter to the bailiffs, appointed Mr. Gammon to officiate as miniſter, in the ſaid vacancy.

The

The receipt of this letter was alſo accompanied with an inſtrument of inſtallation, which Mr. Gammon then produced; a peremptory and ſudden mode of proceeding highly diſpleaſing to the town, but which they thought proper to ſubmit to, on account of Wilkinſon's ſudden departure, for a few days, and not longer.

A ſhort time after, therefore, it was reſolved to write to the biſhop, aſſerting their right, and aſſuring him of their reſolution to maintain their privilege of nomination and election; accordingly, about three months after, in April 1625, a letter of attorney was given to Mr Edmund Groſſe and others, to preſent John Brinſleye, clerk, to be curate of St. Nicholas's church. At the ſame time the caſe was laid before Sir John Suckling, comptroller of the king's houſhold, and one of the privy council, who wrote to the biſhop of Norwich, requeſting him to ceaſe his interpoſition, in an affair which appeared to him to be in favor of the corporation.

This had not the deſired effect; for the dean and chapter ſoon after exhibited a bill in chancery againſt the corporation, concerning the nomination and appointment of preachers

preachers and miniſters to ſerve in the cure of Yarmouth; their principal allegations againſt the town being, concerning the ſeparatiſts, a diſſenting ſect; neglect of the lord chief juſtice's warrant; detaining the church books; holding aſſemblies in the church; a diſreſpect of king James's mandate, dated 30th December 1624; diſturbances in the church, &c. &c.

Mr. Brinſleye was alſo convened before the High Commiſſion Court of Lambeth, to be queſtioned upon matters not then known; who therefore obtained a certificate from the corporation, under their common ſeal, of his proper demeanor, official qualifications, &c. and afterwards the town voluntarily preſented him with another certificate, in his behalf, containing additional clauſes of recommendation.

But all was inſufficient. A decree in Chancery was given againſt the town, on a certificate made by Laud, archbiſhop of Canterbury, on a reference made to him by the court, That the nomination of curates or miniſters for Yarmouth, be longs to the dean and chapter of Norwich, and not to their farmers of that rectory.

Mr. Brinſleye

Mr. Brinſleye was accordingly diſmiſſed, at Midſummer 1627, having ſerved the cure two years, and was ſucceeded by Mr. Barker.

This controverſy had irritated the biſhop of Norwich againſt the town to ſuch a degree, that every little frivolous thing was made the foundation of as many litigious and vexatious ſuits. But upon the petition of the late bailiffs, with Mr. Brinſleye, to the king, concerning ſeveral matters urged againſt them by the biſhop, the affair was referred by the king, to the lord biſhop of London, Juſtice Crook, Juſtice Yelverton, the dean of St. Paul's, and Sir Henry Martin; who accordingly directed their letters to the biſhop, to appear at the houſe of the earl of Mancheſter, lord preſident of the privy council, in order to hear the cauſe.

In the mean time, the biſhop having had ſome intelligence concerning the petition, thought proper to addreſs the bailiffs in a very friendly manner, expreſſing his wiſhes that they would *recommend* to him a fit perſon for a ſecond preacher, which was accepted by the town, and ſeems to have been the firſt ſtep towards a reconciliation.

Mr. Brinſleye, after his diſmiſſion from St. Nicholas's church, preached in a place

called the Dutch church, (at preſent converted into a theatre) 'till he was again ſilenced. But the town, being about to chuſe a lecturer, who was alſo to be approved by the biſhop of Norwich, made great intereſt to get Mr. Brinſleye into that office. Whereupon they addreſſed their letters to the biſhop, who was willing to confirm their choice after being ſatisfied in theſe two particulars, viz. firſt, Whether their election of Mr. Brinſleye was *unanimous*, and if any were diſſentient, to have their objections communicated to him: ſecondly, On account of the decree in Chancery having debarred him from holding the cure, whether it did not alſo exclude him from all miniſterial function in Yarmouth; for his ſatisfaction in which, he ſolicited that the court might again be moved on that queſtion.

To the firſt enquiry, the town returned a ſatisfactory anſwer in the affirmative; to the ſecond they replied, that as the lecturer was paid out of the town's ſtock, and not out of any church revenues, they did not imagine that the decree could in any wiſe affect their election of him, nor did they conceive that Chancery interfered in matters of that nature, but that, for the biſhop's ſatisfaction, they

they would ſend their recorder, Mr. Miles Corbet, to confer thereon with his lordſhip.

Another complaint, on oath, was alledged againſt Mr. Brinſleye, in the court of Chancery, the principal of which was his interrupting the ſervice, by going into the pulpit before it was finiſhed. In oppoſition to which, a certificate, utterly denying the charge, was ſent to him, ſigned by the bailiffs and principal people of the town.

Notwithſtanding all the intereſt the corporation could make, Mr. Brinſleye, in conſequence of a commiſſion taken by order of the king and his council, was forbid to exerciſe his function within the town and liberties of Yarmouth, of which he was thereby declared ineligible, but not of any other place, being lawfully called, and conforming himſelf to the church of England.

Soon after this, the king gave permiſſion for them to nominate their own lecturer, on their paying him his ſtipend; which nomination was to be confirmed by the lords of the council, to whom they were to preſent two, or more, for their choice of one of them; but if it appeared to them that neither was eligible, then they were to nominate others, and ſo on, 'till one was approved.

proved. Agreeable to which Mr. Vincent, Mr. Norton, and Mr. George Burdett were preſented to the board, who made choice of the latter.

The lecturer's ſalary was fixed at one hundred pounds a year, the inſtrument for the payment of which, ſealed with the common ſeal, was to be ſent to the board, for their approbation: counter articles of agreement were alſo ſigned by the lecturer, for the ſatisfaction of the corporation. Theſe, after reciting the ſalary and mode of payment (*i. e.* at four equal quarterly payments) continue:

'*Item*, It is agreed that the ſaid Mr. Burdett ſhall weekly preach one ſermon every 'Sunday, and one ſermon every Wedneſday '(being a market day, and the uſual day for 'the lecture) at ſuch hours as the lecturers 'in the ſaid town have formerly uſed to do.

'*Item*, It is agreed that he ſhall preach 'one ſermon on every coronation day, for 'the king's majeſty, and upon every great 'feſtival day; *i. e.* upon the feaſt of St. Michael, the archangel, the feaſt of All Saints, 'the fifth of November, Chriſtmas day, 'Twelfth day, Candlemas day, Aſcenſion 'day, and on the twenty-ninth of Auguſt,

'being

'being the day of election of bailiffs and 'other officers in the ſaid town, and alſo 'upon the ſeſſion days.

'*Item*, It is agreed that he ſhall be helpful 'to the curate in the ſaid town, in the ad-'miniſtration of the ſacrament of the Lord's 'ſupper, when he is thereunto required.

'*Item*, If by ſickneſs or any other cauſe of 'abſence, he cannot diſcharge the place 'himſelf, that then, for ſuch time of inter-'miſſion, he ſhall provide ſome other able 'and ſufficient miniſter to ſupply his place.

'*Item*, That he ſhall not leave, nor give 'over his ſaid place, without half a year's 'warning firſt given to the town, to provide 'themſelves of another.

'*Item*, If by any cauſe of ſuſpenſion or de-'privation, ariſing upon any matter of neg-'lect or default in the ſaid Mr. Burdett, or if 'by taking any other eccleſiaſtical promotion, 'or otherwiſe, he the ſaid Mr. Burdett ſhall 'be diſabled to exerciſe the ſaid lecturer's 'place, that then for that time he ſhall de-'mand no allowance of the ſaid town, but 'they provide another in his ſtead.

'GEORGE BURDETT."

For the final determination of the differ-ence lately agitated between the town and the dean and chapter of Norwich, on the

19th of March 1633, Matthew Brooks, minister, and George Burdett, lecturer of Yarmouth, with Thomas Johnson and Mr. Medowe, appeared before the bishop of Norwich, when the following articles were agreed to by both parties.

'*Imprimis*. It is ordered between the said 'minister and lecturer of Great Yarmouth 'aforesaid, that each of them, so often as 'they shall there preach, shall read divine 'prayers before their own sermons, accord-'ing to his majesty's directions in that behalf.

'*Item*, It is ordered, that the minister 'shall have all fees belonging to christenings, 'marriages, funerals, the churching of wo-'men, and all other duties whatsoever, pro-'perly belonging to his curateship.

'*Item*, It is ordered that the lecturer shall 'preach all the *scarlet days*, (as they call 'them) and that the minister shall preach 'the blessing to their fishing yearly, which 'they call their fishing sermon.

'*Item*, That the lecturer upon Wednesday, 'being his day to preach, begin his sermon 'about ten o'clock in the forenoon, except 'occasion so fall out, either by reason of a 'christening sermon, marriage sermon, fu-'neral sermon, or at the churching of any

'women

'woman at that time; then it is ordered that 'the miniſter ſhall have his pulpit free at ten 'o'clock, giving notice the day before to the 'lecturer, and the lecturer to begin his ſer-'mon at eight o'clock in the morning, on the 'ſame day.

'*Item*, It is ordered that if there ſhall 'happen any ſuch occaſion, as is before 'named, for the miniſter to preach on 'Sunday in the afternoon, it being the lectu-'rer's time to preach, then the miniſter ſhall 'give warning to the lecturer on the day 'before, and the lecturer ſhall ſupply the fore-'noon's courſe.

'*Item*, It is ordered that upon Sunday 'in the afternoon, the miniſter begin cate-'chiſing at two o'clock, and ſo continue half 'an hour, then prayers to begin and to be 'read by the lecturer, then chriſtenings to be 'performed by the miniſter, and then ſermon 'to begin preſently after.

'RICHARD NORWICH.'

This agreement was not long effectual; for in July following Mr. Brookes cited Mr. Burdett to appear before the chancellor of Norwich, for not bowing at the name of Jeſus. Mr. Burdett accordingly appeared, attended by ſeveral gentlemen of Yarmouth,

who were ready to depoſe, upon oath, that he actually did bow at the name of Jeſus; and he himſelf in anſwer to the chancellor's demand, ſaid that in that point he had, did, and would obſerve the canon. Mr. Brookes's letter, however, and his affirmation, joined to that of ſome of his friends, had ſufficient weight with the chancellor, to procure Mr. Burdett's ſuſpenſion; which was removed, the following month, by the interceſſion of the bailiffs.

Still we find the eccleſiaſtical too much for the civil power; for in April 1635, Mr. Burdett having been again ſuſpended, in the high commiſſion court, he left the town precipitantly, took his paſſage on board a ſhip, and ſet ſail for New England, leaving behind him a diſtreſſed wife and family, towards whoſe ſupport the corporation generouſly allowed an annuity of twenty marks.

The ſaid year, the vicar general came to town, and ordered ſeveral alterations and reparations in the church; the principal of which are;

That there be but one pulpit, ſet up at the eaſt end of the body of the church, the moſt convenient for preaching and hearing, at the diſcretion of the bailiffs and the miniſter,

That

That the boarded partition, at the eaſt end of the chancel, be taken down, and that the walls, pavement, and windows of the ſaid eaſt end be repaired and beautified, and that the communion table be ſet at the eaſt end thereof; that rails be ſet at the firſt aſcenſion towards the place of the communion table, and a table of the ten commandments to be placed on the eaſt wall, over the table, &c.

That the roof of the chancel, where neceſſary, be decently repaired; and that the doors at the weſt end of the church be ſet open during divine ſervice.

That the font be beautified, and a rail made againſt it.

That the addition lately made to the gallery be taken down, it obſtructing the light, and thoſe who built it to be decently placed in ſome other convenient ſeats in the church, at the diſcretion of the church-wardens, &c.

Amongſt other inſtances of the miſconduct of the clergy here, in times of popery, we find the following, which were preſented by the jurors, and fines levied accordingly.

51. Edward III. That Thomas, dean of Flegg and Yarmouth, took unjuſtly, for proving the will of John Ocle, 56*s.* above and contrary to the ſtatute of the church. ——Fined 6*s.* 8*d.*

Alſo,

Alſo, that the ſaid dean took extortionally, for proving the will of Simon Horner, 4*s.* and the ſaid will did not contain more than 14*s.*

Alſo, the ſaid dean malicioufly raviſhed (*rapuit malicioſe*) Alice the wife of John Boys of Norwich, in the houſe of John Lewe, in ſpite of her huſband, contrary to the peace, &c. and keeps her in his adulterous embraces, and is a common adulterer and fornicator. ——— Fined 2*s.*

3 *Henry* IV. That Sir Richard, dean of Yarmouth church, *broke into the houſe* of Philip Glover, &c. ——— Fined 13*s.* 4*d.*

4 *Henry* IV. Alſo that the ſaid Richard, dean of St. Nicholas's church, and Thomas Walbot, pariſh chaplain of the ſame, are *common vagabonds* in the night. Fined 4*s.*

4 *Henry* VI. That the rector of Burgh church, dean of Yarmouth, *keeps and maintains fornicators* in the town, *taking of them bribes*, and does not correct them. Fined 40*s.*

9. Edward IV. That Thomas Aleyn, clerk, *keeps* and daily receives and entertains a *certain woman of bad character*, called Joan Flantyf, &c. ——— Fined 40*d.* *and to diſmiſs her, under pain of* 20*s.*

And that Jone Barflet keeps and entertains *chaplains, friers*, and other ſtrangers ſuſpected

in

in her houſe, with herſelf and other women of bad behaviour, day and night. —— Fined 10*d.*

9 Henry VII. That Richard Aſhley, chaplain of the hoſpital, and John the deacon, chaplain, &c. are *common night-walkers* at unlawful hours. Fined 20*d* each.

13 Henry VII. Received of Joan, the wife of John Crepon, becauſe ſhe *lay in the night with a chaplain*, as evidently was proved before the bailiffs. *Fined 5s 6d.*

Several other inſtances are upon record, of the ſhameful miſconduct of theſe clerical gentry, which it is not our intention to recount.

In 1460, Conſtantine Dally, rector of Maulby in Norfolk, was buried in the chapel of St. Mary de Arneburgh, in this church. And William Fenn, citizen, willed in 1439, to be buried in it.

In the 31ſt of Edward I. Jeffrey, ſon of Oliver Wyth, gave 3*s.* per annum to maintain a lamp to be continually burning before the Great Crucifix, in this church.

In the 43d. of Edward III. Margaret, wife of John de Beverle, of Yarmouth, gave 30*s* 6*d.* annual rent, towards the ſupport of eight candles burning on the perch (the loft)

in

in the chancel of St. Thomas of Canterbury, in this church, for ever, &c.

And in the 18th of Richard II. the ſame lady gave 8*s.* 6*d.* annual rent, towards the ſupport of a wax candle of two pounds weight, to be burnt before the crucifix hanging in the nave of the church,

In the 6th of Henry VII. Thomas Pond, burgeſs of Yarmouth, bequeathed five annual rents for ſupplying a lamp, burning day and night, and five wax candles of 1½lb. each, burning about the ſaid lamp before the Sacroſtrum, or high altar, intime of divine ſervice.

Thomas Mount, in 1280, gave to St. Mary's light 2*s.* annual rent, for ever.

In 1355, William Oxney, burgeſs of Yarmouth, gave to the high altar, for his tenth and treſpaſſes forgotten 40*s.* to the new work 40*s.* to St. Mary's light 13*s.* 4*d.* to each pariſh chaplain of St. Nicholas 40d. to each pariſh clerk of the ſaid church 12*d.* &c. &c.

In 1356, Richard Faſtolf, of Great Yarmouth, bequeaths his body to be buried in St. Katherine's chapel, in this church, to the high altar, 40*s.* to St. Mary's light, 20*s.* to the new work, 20*s.* to the head pariſh chaplain, 1*s.* to each of his two partners,

and

and the deacon, 6*d.* to each of the three parish clerks 3*d.* also 6*s.* annual rent to St. Mary's light, and five shillings to that of St. Katherine, for ever.

Stephen de Stalham, burgess of Yarmouth, in 1362, bequeaths his soul to God, the blessed virgin, and all saints, and his body to be buried in St Nicholas's church; to the high altar of this church, for his tenths forgotten 20 marks; to the repair of the church 5 marks; to St. Thomas's light, 1 mark; to celebrate 20 annuals for his soul, and his benefactors, after his decease, 120 marks; to St. Mary's light 20*s.* &c. &c.

In 1374, John de Stalham, of Great Yarmouth, bequeaths to the high altar 10 marks; to St Mary's light 20*s.* to the repairs of the church 20*s.* &c.

The same year, Jeffrey de Drayton bequeaths to the high altar, 2 marks; to the support of the light of Corpus Christi, to be carried to the town for visiting the sick 6*s.* 8*d.* to be distributed in masses and other alms deeds, for his soul, 40*l.* &c.

In 1379, Thomas Cobald gave to the high altar a wey of salt, and his best holiday vestment, there to be used as long as it shall last; to Martin Wodesyde, chaplain, for the term

term of his life, one miſſal, two veſtments, and a chalice; and after his deceaſe, they were to go to St. Mary's altar, in this church, and there to continue for ever.

In the ſame year, William de Stalham, of Yarmouth, bequeaths to the high altar 20*s.* to the fabrick of St. Nicholas's church, 20*s.* to St. Mary's light 20*s.* for the buying of books in the choir of St. Nicholas's church 100*s* &c. &c.

And Simon atte Gappe, of Yarmouth, the ſame year, commends his ſoul to God, and his body to be buried in the church yard, before the door of the new chapel (the *new work*) on the weſt part; gives to the high altar 100*s.* to the fabrick of the church 20*s.* to St. Mary's light 6*s.* 8*d.* to Corpus Chriſti light 20*s.* to the fabrick of St. Nicholas's church of South Yarmouth 6*s* 8*d.* Of this church there now remains only an old ruin, called Gorleſton old ſteple, which has, for many ages paſt, been an excellent ſea-mark.

In 1381, Peter Bennet, burgeſs of Yarmouth, bequeaths to the high altar 13*s* 4*d.* to the fabrick of the church 2*s.* to St. Mary's light 5*s.* annual rent for ever. &c.

In 1385, Nicholas Wildegooſe, of Yarmouth, gives to the high altar 40*s.* to St.

Mary

Mary's light 10*s.* to the fabrick of St Nicholas's church 10*s.* &c.

And in the ſame year, Alice, his wife, bequeaths to the high altar 20*s.* to St. Mary's light 40*d.* to the repairs of St. Nicholas's church 40*d.* the reſidue of her eſtate to be ſold and the money to be diſtributed in maſſes and other pious uſes.

Beſides theſe, there are ſeveral wills ſtill upon record, of perſons who died of the plague in 1349, all containing legacies and bequeſts ſomewhat ſimilar to the above.

In the reign of Henry VIII. we find frequent diſturbances made in this church, concerning religion. Of this we have an inſtance, in 1535; in which year, on November 1ſt, as Dompnus Robert Cotton was preaching a ſermon, a great riot was made by 24 perſons, with William Swarton, chaplain, at their head, who, it ſeems, were oppoſers of the ſuperſtitious doctrine of the Romiſh church, and publickly declared, "That no honour is given to the ſeynts, to "the pictures and ymages of them within "the chirche, with lights and ſuche other "lyke thyngs; and that a chriſten man ſhall "profight nothyng by makyng of inter-"ceſſions and prayours to the ſeynts of "hevyn,

"hevyn, to be meditatours and meanes for "him to Almighty God. And also that our "lady is not in hevyn. And that all holy "water is *good sawce for a capon*, and other "suche lyke sayings."

And in 1541, October 28th, four merchants of Yarmouth came into the church together, in the time of divine service, and administration and elevation of Corpus Christi, and in a tumultuous manner spoke heretical words, and swore by all the members of Christ, to the great disturbance of the congregation, &c. but afterwards putting themselves on the king's mercy, by sureties, they were each fined 2*l*.

Having thus given an account of the most material things relative to St. Nicholas's church, we shall conclude with such monuments and monumental inscriptions therein, as seem worthy the reader's attention.

As

As you come in at the south door, in the *south isle* of the chancel, to the right hand, on the wall, is a neat white marble monument, thus inscribed.

S.

To the Memory of
MARY
The last survivor of five children
Of Robert and Mary
JACKSON
Who was born at Yarmouth
Oct. the 30th, 1709.
And died universally lamented at
Ipswich, May 21st. 1728,
In the flower of her age.

Dearest to us of humane kind,
Lovely in body and in mind,
Farewell—with many a flowing tear,
Thy friends this monument prepare,
Little, alas! to thee, 'tis true,
But all thy PARENTS love can do.
——————— Solatia luctus
Exigua Ingentis———————

Behind this monument lie the four other children of the same sorrowful parents.

On the ſame ſouth wall, a little more eaſterly, is another white marble monument, with this inſcription.

Near this ſtone are interred the remains of
ERASMUS JARY, Gent.
Who died 7th of Auguſt, 1766, at the early age of 25.
He had long been the only hope of a widowed mother:
He lived to become her pride and joy:
And his affectionate wife
(Who pays this tribute to his memory)
Only knew him long enough to know his value.

A little diſtance from the ſame wall, is a black marble on the floor, thus inſcribed.

S. M.
MARIÆ JOSEPHI COTMAN, Generoſi,
Conjugis merito dilectiſſimæ
Obiit quinto die Novembris
Anno { *Domini* 1727
Ætatis 19
Amata JOSEPHI COTMAN, Generoſi, conjux
Nuptiarum ordine ſecunda
Nata fuit Martii die 27 A. Dni 1705,
Denata Aprilis 20, 1731.
De qua ſuſceptos duos habuit filios;
Hunc Joſephum Octobris 15 *natum* 1729,
Denatum Februarii 23° 1730;
Illum Joſephum natum Aprilis 11*mo*, 1731,
Junii 19*no* 1731 *denatum.*

Ad

Ad quorum memoriam mariti fidei
Animique patrii non immemor,
Hoc marmor posuit.
Quod mortale fuit
JOSEPHI COTMAN, Armigeri,
Sub hoc marmore reconditur.
Obiit Augusti die 30°
Anno { *Domini* 1762do.
Ætatis 57mo.

East of this stone, is the following inscription.

HERE LYETH INTERRED
THE BODY OF MARY THE
WIFE OF THOMAS CLARKE,
GENT. COLLECTOR OF THEIR
MAJESTIES CUSTOMES IN
THIS PORT OF YARMOUTH
AND ELDEST DAUGHTER OF
JOHN HAFORD OF HAFORD IN
THE COUNTIE OF WORCESTER,
GENT. SHE DEPARTED THIS
LIFE THE 16th DAY OF JULY 1622,
AGED 50 YEARS 8 MONTHES.
ALSO ON THE NORTH SIDE LYETH
MARY THE DAUGHTER OF THE
SAID THOMAS AND MARY CLARKE
WHO DIED THE 28th of DECEMB.

1696, AGED 28 YEARS.
THO. CLARKE, GENT.
Obiit 25 Aug. 1708 Æt. 68.

More northerly lies another ſtone, thus inſcribed.

In memory of ELIZ. MISSENDEN,
Who was a ſincere chriſtian, an affectionate wife
A tender parent, a faithful friend,
In every relation exemplary.
Under her ſevere, and almoſt inceſſant pains,
For many years,
She was ever reſigned, and moſtly chearful.
She died in hopes of a joyful reſurrection
April 18, 1751, aged 55.
Her afflicted huſband, T. M. Cl. M. A.
Will ever retain a juſt ſenſe
Of the greatneſs of her merit, and his loſs.

Still north of this ſtone, lies another, bearing this inſcription.

HIC JACET FRANCISCUS CORTENAYE
NOBILI STIRPE COURTENAICA DE
CASTRO POWDERHAM IN ARGO
DEVONIENSI NAVIS PRÆSIDIARIÆ
CAPITANEUS, QUI CONTRA BELGAS
PRO REGE ET PATRIA FORTITER
DIMICANS LETHALI VULNERE
PETITUS OBIIT VICESIMO DIE
NOVEMBRIS Anno Domini 1673.

Next

Next to this, northerly, is this.

MORS MIHI LUCRUM
EST.
HERE UNDER LYETH
BVRIED THE BODYE
OF
THOMAS BVTTOLPH
ALDERMAN DECEASED
THE LAST DAY OF FEBREWARYE
ANNO DOMINI 1614.

A little more to the north, a ſtone.

M. S.
RICHdi FERRIER, Armigeri,
Hujus Burgi et decoris et deſiderii.
Exunnahtem Ingeni Fontem morum Suavitatem
Et quæ generoſum ornant et cohoneſtant,
Dicant Familiares;
Eximiam Rei politicæ peritiam,
Regni Comitia;
Labores indefeſſos et præ cæteris Delicias
Solum natale.
Quæ ſuſcepit munia (et varia certe)
Graviter explevit affabre expolivit,
Vixit ſatis patriæ;
At quantula eſt aura popularis
Quantula gloria fluxa et fragilis.
Vixit et ſibi et ſuis,
Obiit die quarto Calend Xbris

Anno { Ætat 57mo.
Dmni 1728vo.

Sub hoc etiam marmore
Requieſcit Richdus FERRIER, Armiger,
Richdi. illius filius unicus
Ingenii acumine, et indolis ſuavitate
Alter idem.
Obiit pridie Idus Aprilis
Anno { Ætat 44
D'mni 1739

Another ſtone, at the weſt end of this.

The Remains of
Of
Mrs. SARAH LEAKE, widow, relict
Of
JOHN LEAKE. Gent.
Nephew of Sir Andrew Leake,
Admiral of the Blue.
She died on the 25th of March 1743
Aged 47 years.

Another ſtone to the north, thus inſcribed.

M. S.
ROBERTI GALLANT, M. B.
Quem
Medicorum principum modeſte æmulum
Modo languidi et tremula voce
Requiem anhelantes,

Jam

Jam ſani et vigore juvenili reviviſcentes
Læte fatentur.
Deo, Patriæ, Conjugi, Amico
Quæ debentur aſtatim explicuit
Nec vaga, nec larvata pietas:
Pauperibus ſalutem (auro potiorem)
Inemptam impertivit
Immenſo cum fœnore,
In cœlis potitur mercede.
Obiit Junii die 27mo
Anno { Dmni 1746
{ Ætat. 55
Helena prædicti ROBERTI GALLANT uxor
Tali digna viro,
Omnimodis virtutibus ubertim ornata,
Obiit xxiii^o Sept^ris Anno Dmni MDCCLVI.
Ætat. LXIII.

The next ſtone, ſtill northward, bears this.

AD DOMINVM
PRÆMISSIS SEX LIBERIS JOHANNE GEORGIO
GVLIELMO HANA FRANCISCA ET ABIGAELE
IN VIVIS QUATVOR MARIA MARGARETA
THOMA ET JOHANNE HVJVS MVNICIPII
BALLIVVS ITERVM ET IN SVPREMIS REGNI
COMITIIS ASSESSOR DENVO GEORGIVS
HARDWARR MAY VLT. 1635 ÆTAT. 66
MIGRAVIT, QVEM MARGARETA VXOR
ET AMANTISSIMA ÆTAT. 62 SEQVVTA EST
OCTOB. II. 1638.

A few yards from the south door is the following.

IN MEMORY OF ROSE HUNTINGTON, LATE
WIFE TO RICHARD HUNTINGTON, WHO DIED
SEPTEMBER THE 8th, AGED 57 YEARS, ANNO 1678.
WITHIN THIS WOMB OF EARTH, THIS BED OF DUST,
LODG THE REMAINES OF ONE LAYD UP IN TRUST,
WHO WHILE SHE LIV'D WITH US, DID NOT SO LOVE
THIS LIFE, AS NOT TO THIRST FOR A REMOVE;
RELIGION WAS HER AIM: AND IF HER SENSE
THEREOF DID DIFFER; YET THE DIFFERENCE
IS RECONCIL'D: SHE'S GOTTEN WHERE SHE SEE
THINGS AS THEY ARE; AND SO I HOPE SHALL WE.
WHAT ERE THE HUMBLE, AND THE FAITHFUL MISS
WHILE THEY ARE HERE, IS CLEARED UP IN BLISS,
WHERE THE SINCERE SHALL JOIN BOTH HEARTS AND HANDS,
IN ONE CONTRACTED, BY ETERNALL BANDS,
M. Thompſon 1700.

Near the ſouth-weſt corner of the ſame iſle, a ſtone.

Here lieth the body
Of RICHARD BATHURST, GENT.
(Who was the ſeventh ſon of
EDWARD BATHURST
Of Finchcocks, in the pariſh of
Gowdhurſt, in the county of Kent,
Eſq. by MARTHA his wife)
Who departed this life the 7th
Day of April Anno Dom. 1707, and
In the 58th yeare of his age.

On

On a neat white-marble mural monument, againſt the weſt wall, is this.

Near
This place lay the remains of
ELIZABETH
The widow of Mr. John Ramey,
Who was loſt at ſea
In the 29th year of his age, in December 1718.
She ſurviv'd him near 40 years,
Of which ſhe ſpent the former part in the care of her only ſon,
And the latter in a courſe of unaffected piety, and virtue.
She died Feb. 14, 1758, aged 64 years.
In juſtice and gratitude to thoſe abilities of her mind,
And that goodneſs of her heart,
To which, under providence, he is chiefly indebted
For his poſterity,
Her ſon,
JOHN RAMEY, Eſq.
Has cauſed this monument to be erected.

We come now to the *middle iſle* of the chancel, in which, at the foot of the ſteps aſcending to the rails before the communion table, is a black marble ſtone thus inſcribed.

JOHN MANCLARKE, A. B.
Miniſter of this pariſh
died 8 Novr. 1770, aged 38 years.

A marble ſtone next to this, weſtward, has the following on the four edges, which are cut aſlant, for the purpoſe of preſerving the legend.

IOHN COWLDHAM 4 TYMES BAILIFFE OF THIS TOWNE
AND SON OF ALLIN COWLDHAM, BAILIFFE ALSO
BEFORE

BEFORE HIM SUCCEEDINGE HIS FATHER IN THE CHAIRE OF MAGISTRACYE, GOD CALLED TO ACCOMPANY HIM IN THE THRONE OF GLORIE THE 21ſt OF DECEMBER 1620 LEAVING NO ISSUE, AND AGED 84 YEARES.

Another ſtone ſtill weſtward.

HERE LYETH THE BODY OF MARGARET SOMETIME THE WIFE OF JOHN ARNOLD, MERCHANT, AND ONCE BAILIF OF THIS TOWNE, AND LATELY THE WIFE OF THE REVEREND AND FAMOVS WILLIAM BRIDGE MINISTER OF THE GOSPEL AND PASTOVR TO THE CONGREGATIONALL CHVRCH IN YARMOVTH. SHE WAS AGED 76 YEARS, AND DIED ON THE FIRST DAY OF NOVEMBER IN THE YEARE 1675

Her ſoul in glory, and her body ſtaies
The time 'till Chriſt to union it doth raiſe.

On another ſtone weſterly, this inſcription

M. S.
The remains
of
JOHN ALBERTSON
Formerly
Alderman of the corporation
Of
Great Yarmouth,
And
Bailiffe in the yeare 1655.

He

He
Departed this life the 28th of Oct. 1693.
Aged 71 yeares.
Waiteing for a bleſſed reſurrection.

On another ſtone the following.

Cineres
Joannis Daſſet, Generoſi,
Viri prudentis, docti, pii,
Qui non varios hujus vitæ labores
Et multa rerum diſcrimina
——— Dyoniſia uxore,
Unica et amantiſſima
Viva prole ſuſcepta
Cœlos petiit
Feb. 25, 1637
Ætatis ſuæ
Anno 68

On a ſtone towards the north ſide.

HERE LIETH INTERR'D THE BODY OF WILLIAM BURTON THE ELDER, WHO WAS TWICE BAYLIFFE OF THIS TOWNE, AND DIED THE 8th DAY OF APRIL 1673,
Aged 65 yeares.
HE LIV'D TO CHRIST, HE DY'D IN CHRIST, AND MUST APPEARE WITH CHRIST: DISTURB NOT THEN HIS DUST.

And under this, is

WILLIAM BURTON, M. D. obiit July 23 1756, aged 53.

On

In passing towards the nave of the church, at the west end of the isle, on the right hand, is an elegant mural monument, with this inscription.

M. S.
SAMUELIS FVLLER, armigeri,
Qui hujus burgi bis ballivus, dein
Prætor, et ad memorabilem illum an. 1688 conventum
multaque inde parliamenta
missus hinc burgensis
Egregiæ ubique justiciæ, prudentiæ, pietatis
monumenta reliquit.
Ex Rosa, Ricardi Huntington, armig. filia
Hic juxta posita
Samuelem, Elizam, Joannem, Mariam, Ricardum,
Rosam suscepit liberos:
In quibus Samuel ejusdem burgi aldermannus,
Ricardus L.L.D. in foro admirallii advocatus generalis
Et Elizabetha parentum ad latera requiescunt.
Obiit 19 Maii 1721. Annum agens 75m.

Beneath this.

Parentibus optimis
Johannes filius natu secundus,
Regiæ majestati nuper ad Etruscos consul
Et in primo Georgii secundi parliamenti senator
Et Rosa filia unica superstes
Marmor hoc mœrentes f.
MDCCXXVIII.

Near

Near the middle pillar, on the ſouth ſide, is the following.

HERE
LYETH THE BODY OF Mr. MITCHEL MEW
TWICE BAILIFFE
AND ONCE MAYOR OF THIS TOWN
OBIIT THE 21ſt DAY OF APRIL 1670
AGED 71 YEARS.

In the north iſle of the chancel, is an elegant monument of curious workmanſhip, upon a pillar at the weſt end, having this inſcription.

Ego
HANNA DASSET virgo
Juxta hanc ſtelam dormio
At
Expergefiam
Reſurgam
In Æternum vivam,
NAM
Redemptor meus vivit.
Migravi 18 die Auguſti
Anno { Salutis 1631
{ Ætatis 27.

Near the middle of the iſſe, to the north, is this.

Here lieth Mary the wife of James
Artis, Eſq. who departed this life
30 April 1715

Alſo

Alſo ELIZABETH the daughter of
The above James and Mary Artis
Who departed this life the 9th of March 1720.
Here lies JAMES ARTIS, Eſq.
Bailiff, mayor, captain of militia
Fuzileers of this town, he died Janry.
28th 1724, aged 68 years.

Towards the north eaſt of the above, is this.

Here under lyeth
Eliz. Wheeler, the only daughter of Abraham
Wheeler and Rebecca his wife, who departed this life
Before ſhe had fully accompliſhed the nineteenth
Year of her age, 8 Novem. 1636.

All you who doe this grave behold
Loe here a young * * * * ladye in moulde,
The olde muſt needes, the younge may dye,
Both olde and younge therefore be ſhye
How your lives on earth let paſſe
That you in heaven may have a place.

A little diſtance from the north door is the following inſcription.

AUDI VIATOR
SIVE SIS EXTRANEUS SIVE INCOLA
NON LEVE PRETIUM MORÆ
IPSA MATERIA VATEM FERE TERRUIT
AT TANDEM COMPOSUIT.
NON FORTUNÆ LUGEMUS CASUM,
SED PROVIDENTIÆ CULTUM UT DECET
CEDIMUS.
HIC PARVO JACET IN LOCO
JOHANNES

JOHANNES COOPERUS SENIOR
DOMI FORISQUE SATIS NOTUS
PROPTER NOTIORA ET
POTIORA.
AB OPTIMIS, ID EST, AMICIS DESIDERATUS EST
ET INIMICIS NON INGRATUS FUIT.
NEC SUI UT AUGUROR UNQUAM ERIT
INGRATA MEMORIA.
OBIIT ANNO A SALUTE RESTITUTA
OCT 3° 1684.
VIXIT ANNOS 63
ET VIVIT IN ÆTERNUM: HOC
NULLI DUBIUM.
HÆRES INTER HÆREDES PRIMUS,
HOC MONUMENTUM PONENDUM
CURAVIT
THOMAS COOPER 1704

In the north eaſt corner of the iſle.

Hic ſita eſt Maria Thomæ Macro S. T. P.
Conjux unice ſchara
Quæ duos feliciter enixa eſt liberos
(O! ſi trium ſuperfuiſſet mater)
Dein adverſo puerperii opere feſſa
Inter amicorum preces et lachrymas
Placide ſpe fultam afflavit animam
X. Cal Feb. anno { *Sulatis* 1724
{ *Ætatis* 33

Cui per debitum corporis ſui contubernium
(ut unam eadem fovea tumuletur caro)
Mortuus fidem præſtitit qui vivus nunquam fefellit
Tho. MACRO, hujus eccleſiæ per 21 annos
Paſtor

Pastor fidus,
Obiit xvi Cal. Apr. A. D. 1743. Ætatis 60—
THO. MACRO A. B. filius unicus Coll. Caii
Cant. Alum. & Theologiæ Candidatus,
Qui triste sui desiderium reliquit
Cum non diu, sed bene vixisset
Obiit Apr. 5 { A. D. 1746 / Ætatis 23

On the south side, adjoining to this, is another stone.

MARIA filia Samuelis Pake, M. D.
Et Elizabethæ uxoris, natu maxima,
Obiit Vto. Kalend. Junii, MDCCXIV.
Ad VI annos, et II menses nata
Reliquias egregii viri SAMlis PAKE, M. B.
Inter hæc marmoris claustra reconditas
venerare lector.
Quem alma medendi Arte cum peritum
Tum felicem gravissime modo ægrotantes
Jam sani grata mente recolunt multi;
Ne nimio plures sanando triumpharet,
Mors invida ocyus ipsum rapuit:
Galeni puta et Hippocratis æmulum reformidans:
Obiit 4to Kal. Aug. anno { Dni 1743 / Ætat. 35

On the south side of the isle, the following.

HERE
Lieth the remains of
ELIZABETH HALL
Sister to the wife of
THOMAS

THOMAS MACRO, D. D.
Who departed this life
December 28, 1746.
Aged 63.
Alſo MARY LOVE, daughter of
JOHN GOSLIN LOVE and MARY
his wife, who departed this life
the 30th of May 1747,
Aged 3 years.
JOHANNES GOSLIN LOVE,
Armiger,
Natus 2do Feb. 1721,
Denatus 3tio Oct. 1767.

South of this, the following.

M. S.
Venerabilis GVLIELMI LYNG A. M.
Eccleſiæ Anglicanæ PRESBITERI
Parochialis etiam Sancti Vigoris de FULBURN
in Com. Cantab'ſi.
Per novem luſtra RECTORIS non indigni
cujus Exuviæ in hâc Æde Sancta reponuntur
In qua pr. triginta annos feliciter miniſtravit.
FIDEM CATHOLICAM intrepidus propugnavit
Summam autem Humilitatem & Reverentiam adhibens
Laboribus functus & fractus Animam
DEO reddidit Pridie Idus Novembris
Anno { Dom. 1719
{ Ætat. Suæ 71
Cætera qualis fuerat dicat deſiderium ejus
Apud eos quibus maxime notus vixit.
Cum GULIELMO ILLO LYNG Requieſcit
Dilecta ſua MARIA, conjux
Nuptiarum ordine, Secunda;
Pietate vero NULLI:

MICHAELIS DALTONI de FULBURN præfat armiger
FILIA digniſſima
Quæ obiit nono calander: Junii,
Anno { Dom. 1729
{ Ætat. ſuæ 79
In eodem tumulo reponuntur exuviæ venerabilis
BENJ. LYNG ille Gulielmi et Mariæ filii unici per
Multos annos Rectoris parochiæ Si. Laurentii
de South Walſham Com. Norf.
Obiit 30mo. Jan. Anno Dom. 1742, Ætat. 48.
Ac etiam Annæ uxoris ejus ſecundæ
Rdi. Ferrier Armigeri, filiæ quartæ
Obiit 14mo. Feb. Anno Dom. 1763 Ætat. 57.

On a ſtone further to the ſouth.

In Memory
Of Mr. William Spooner,
who was once bailiff and
afterwards MAYOR of this
town, obiit 2d. Octob: 1722.
Æt. 67.

Yet further ſouthward, the following.

Here reſteth the body of
William Browne, Eſqr. once
Bayliff and Mayor of this town,
who departed this life Nov. 7, 1710,
Aged 46 years.

There are likewiſe in the chancel two tables, containing the ſeveral benefactions to the corporation, to the church, to the hoſpitals,

pitals, to the poor, &c. one being in the north isle, the other in the south, against the west wall.

Near the north door of the CROSS ISLE, *as you pass out of the chancel into the church, is the following, on the floor.*

D. O. M. S.
JVVENIS OPTIMI ET INTEGERRIMI
DNI HALL-THORIS BRVNOLFI ISLANDI
QVANTVM CLAVDI POTVIT
HOC SAXVM COERCET.
IPSE LIBER IN PATRIAM VIVENTIVM ABIIT
NASCITVR SCALHOLTI IN AVSTRATI ISLANDIA
ANNO CHRISTI MDCXLII DIE XIII DECEMBRIS;
PATRE BRVNOLFO SVENONIOR.
EPISCOPO SCALHOLTINO;
MATRE MARGARETA HALL THORIDE;
POST DOMESTICAM SCHOLASTICAMQUE
IN PATRIA DISCIPLINAM
ANNO ÆTATIS XX IN ANGLIAM NAVIGAT.
VBI CVM ANNOS IV INTEGROS AC PERPETVOS
PIE ET SOBRIE
BONORVM TESTIMONIO VIXISSET,
IN EVNTE QVINCTO TABE LENTA ADFICI CŒPIT,
ET MENSE POST QVINCTO ANNO DNI MDCLXVI,
ÆTATIS INCIPIENTE ANNO XXV
DIE XV DECEMBRIS STILO VETERI
CONFICI FELICITER DESIIT,
NEC VITÆ PVDVIT NEC PIGVIT MORI
REQVIESCAT IN PACE.
HALL THORIS ISLANDI CINERES HVMVS
ANGLICA SERVA
DEPOSITVMQVE BONA QVANDOQVE REDDE
FIDE

VIXIT ANNOS XXIV DIES VII
PATER MŒSTISS: FILIO VNICO DESIDERATISS:
P. C.
T. W.
1723.

Weſtward of the north door, is a mural monument, thus inſcribed.

Here reſteth the body of Mr. Thomas Bradford,
Alderman, once bailiff, and afterwards
Mayor of this town, who departed this life
the 3d of July 1703, aged 74 years.

On the ſame wall, more ſoutherly, is a monument of white marble, thus inſcribed.

Near this marble, his mother, and other relations,
Are interr'd the remains of Sir Wm. Gooch, bart.
born in this town October 21, A. D. 1681.
He went young into the army, and behaved gallantly
during all Q. Anne's wars, at the end of which
he married
Mrs. R. Staunton, of Hampton Middx. whither he retired,
But not till after he had loyally aſſiſted in,
ſubduing the rebellion in Scotland in 1715.
In 1727 the king made him lieut. govr. of Virginia,
And of him 'twas juſtly (and what could be better) ſaid
that he was the only governr. abroad againſt
whom inhabitant or mercht. never once complained.
In 1740 he became coll. of an American regiment,
and was ſent with them to the ſiege of Carthagena,
where, tho' providence remarkably preſerved him,
his wounds and a bad climate greatly impaired him.
For this and his other ſervices he was advanced
to the rank of brigadier, and major general;

but

GENTIS ENGLANDORUM NVMEROSÆ COLVMEN
ET CULMEN' SUB HOC SILICE CONTERMINO SEPELITVR,
QVI SIC DEO, ECCLESIÆ, PATRIÆ, AMICIS VIXIT
VT NIHIL DE EO NISI MORTEM DOLENDVM
ARBITREMVR
DIEM SVBEGIT, DECRETORIVM COELVM INTRAVIT
MAII CALEND. ANNO SAL. MDCLXXVII, ÆTAT. LXII.
ECCE ALTERVM SEPVLCHRI DOMICILIVM
PIENTISSIMÆ DOMINÆ ENGLANDÆ MANES
AD MARITI CINERES VIX FRIGESCENTES
JAM AGGREGANTVR,
FOEMINA RELIGIONE PRÆSTANS MORIBVS CANDIDA
REBVS SECVNDIS FATIGATA MAGISQVAM FASTVOSA
SEPTEM LIBERIS COLLACHRYMANTIBVS VALEDIXIT
AC IN MORTIS INCIDIAS FOELICI FVLGENS PVRPVRA
TRIVMPHAVIT
ANNVM AGENS LVII A PARTE VIRG: MDCLXXVII
XVI Jan.

Beneath this, on the ſame wall, is a plate of iron, in which the following inſcription is caſt in relievo.

VIATOR
ET SI PROPERAS, SUBSISTE
ALIQUANTISPER
ET LEGE, ET LUGE
VITÆ INSTABILITATEM.
HIC EXTANT EXUVIÆ JOSEPHI ENGLANDI
QUI FUIT
GEORGII ENGLANDI MILITIS FILIUS
NUMERO QUARTUS:
DOMINÆ CLARÆ VANDERLANÆ BATAVÆ
MARITUS:

JAM

VIXIT ANNOS XXIV DIES VII
PATER MŒSTISS: FILIO VNICO DESIDERATISS:
P. C.
T. W.
1723.

Weſtward of the north door, is a mural monument, thus inſcribed.

Here reſteth the body of Mr. Thomas Bradford,
Alderman, once bailiff, and afterwards
Mayor of this town, who departed this life
the 3d of July 1703, aged 74 years.

On the ſame wall, more ſoutherly, is a monument of white marble, thus inſcribed.

Near this marble, his mother, and other relations,
Are interr'd the remains of Sir Wm. Gooch, bart.
born in this town October 21, A. D. 1681.
He went young into the army, and behaved gallantly
during all Q. Anne's wars, at the end of which
he married
Mrs. R. Staunton, of Hampton Middx. whither he retired,
But not till after he had loyally aſſiſted in,
ſubduing the rebellion in Scotland in 1715.
In 1727 the king made him lieut. govr. of Virginia,
And of him 'twas juſtly (and what could be better) ſaid
that he was the only governr. abroad againſt
whom inhabitant or mercht. never once complained.
In 1740 he became coll. of an American regiment,
and was ſent with them to the ſiege of Carthagena,
where, tho' providence remarkably preſerved him,
his wounds and a bad climate greatly impaired him.
For this and his other ſervices he was advanced
to the rank of brigadier, and major general;

but

GENTIS ENGLANDORUM NVMEROSÆ COLVMEN
ET CULMEN' SUB HOC SILICE CONTERMINO SEPELITVR,
QVI SIC DEO, ECCLESIÆ, PATRIÆ, AMICIS VIXIT
VT NIHIL DE EO NISI MORTEM DOLENDVM
ARBITREMVR
DIEM SVBEGIT DECRETORIVM COELVM INTRAVIT
MAII CALEND. ANNO SAL. MDCLXXVII, ÆTAT. LXII.
ECCE ALTERVM SEPVLCHRI DOMICILIVM
PIENTISSIMÆ DOMINÆ ENGLANDÆ MANES
AD MARITI CINERES VIX FRIGESCENTES
JAM AGGREGANTVR,
FOEMINA RELIGIONE PRÆSTANS MORIBVS CANDIDA
REBVS SECVNDIS FATIGATA MAGISQVAM FASTVOSA
SEPTEM LIBERIS COLLACHRYMANTIBVS VALEDIXIT
AC IN MORTIS INCIDIAS FOELICI FVLGENS PVRPVRA
TRIVMPHAVIT
ANNVM AGENS LVII A PARTE VIRG: MDCLXXVII
XVI Jan.

Beneath this, on the ſame wall, is a plate of iron, in which the following inſcription is caſt in relievo.

VIATOR
ET SI PROPERAS, SUBSISTE
ALIQUANTISPER
ET LEGE, ET LUGE
VITÆ INSTABILITATEM.
HIC EXTANT EXUVIÆ JOSEPHI ENGLANDI
QUI FUIT
GEORGII ENGLANDI MILITIS FILIUS
NUMERO QUARTUS:
DOMINÆ CLARÆ VANDERLANÆ BATAVÆ
MARITUS:

JAM

JAM MILES EMERITUS ET CŒLO MARITATUS
VIXIT ANNOS XXV
ANTE IVIT SIVE EXTERIORA QUASI TUNICAM
RELIQUIT ANNO 1674, 30 APRILIS.
ET
NODUM FATALE SCRIPTUM EXPLEVIMUS:
ECCE
JOSEPHUM ALTERUM PRIORIS FILIUM
UNIGENITUM POSTHUMUM
DUORUM MENSIUM SPATIO VIX INTERJECTO
IN EADEM FOVEA TUMULATUM.
SIC ABIERUNT ILLI, SIC FESTINAMUS
OMNES.

On the weſt ſide of this, is a marble monument, with this inſcription.

In Memory
Of GEORGE ENGLAND
Eſq. eldeſt ſon of Sr.
GEORGE ENGLAND
And dame Sarah his wife
Who departed this life
Thirtieth of June 1702, and
Fifty ninth year of his age.
He was recorder of this town
And ſeveral times member of
Parliament for the ſame, and
A true friend to that and
The liberty of his
Country.

And

(Hoc tamen ei indulſit filiolam ut pareret)
Peperit, Occubuit
Auguſti die XXIII, MDCCXXXIV annum agens XXXIV,
Mortem præmaturam conjuge ne quicquam plorante
Juxta poſiti ſunt cineres Annæ
Edvardi White et Annæ uxoris filiolæ
Obiit Oct. die XVIII bimeſtris tantum.

To the weſt is this.

HERE LIETH THE BODY
OF JOHN CARTER, WHO WAS
TWICE BAILIFF OF THIS TOWN,
AND ONE OF THE ELDERS, &c.

His court, his fight, his race,
Thus finiſh'd, fought, and run,
Death brings him to the place
From whence is no return.
Never did ſeamen harbour ſpie
Nor pilgrim ſee his home draw nigh,
Nor captive hear of his return,
Nor ſervant his indenture burn,
Nor baniſh'd prince retrieve his crown,
Nor tired man at night lie down.
With greater joy, than he expreſt
At ſight of his approaching reſt.

Mortuus eſt canitie
Bona, ſatur, dierum &
Anno { Ætatis ſuæ 73
Dni 1667.

Near the north wall is this inſcription.

ANN THE WIFE OF THOMAS ENGLAND DAUGHTER OF THOMAS BULWER OF BUXTON GENT. OB. 26 OF APRIL 1682, ÆTAT. 40th AND THOMAS HER HUSBAND, SECOND SON OF SIR GEORGE AND DAME SARAH ENGLAND, ALDERMAN AND TWICE BAILIFF OF THIS TOWN OB. 11th OF SEPT. ANNO 1693, ÆTAT. 48, ALSO EIGHT OF THEIR CHILDREN (viz) FIVE SONS AND THREE DAUGHTERS.

To the weſt of the ſtone preceding the above, is this.

In memory of
THOMAS GODFREY, twice bailiff and many years town-clerk of this burgh.
And of
ELIZABETH his wife, one of the two Daughters and coheireſſes of
MAJOR THOMAS WILDE.
HE died April 30, 1704, aged 63.
Their iſſue were
ELIZABETH, born May 18, 1671, and died May 7, 1752, unmarried.
JUDITH born Jan. 16, 1672, relict of SAM. WAKEMAN, Eſqr. ſhe died June 15, 1746
And lies buried with his family in the Adjoining

Adjoining chancel.

MARTHA born Sept. 26, 1676, relict of
FRANCIS TURNER, ſhe died July 13, 1729
and is buried with him near this place.
ANNE, their youngeſt daughter, widow
of SAM. FULLER, jun: reſerved, alaſs!
To pay the laſt melancholy offices
To ſo many near and dear relations,
With the utmoſt gratitude and affection
Inſcribes this memorial to
her parents and ſiſters,
1752.

A little further to the weſt.

Here reſteth the body of
THOMAS BENDISH, of Grays Inn in the
County of Middx. Eſqr. decended
from the very antient family of Sir
THOMAS BENDISH of Eſſex Barronet, who
was Embaſſadour from K. Charles
The Iſt. to the Grand Seignior.
He married Bridget the daughter
of Henry Ireton, of Ireton in the
County of Derby, Eſq. ſometime
Lord lievetenant of Ireland.
Obiit 27. Apr. 1707—Ætat. 61:

On

On the next ſtone to the ſouth, is this.

Beneath this ſtone
lies the remains of
HENRY BENDISH
late of Tempsford
in the county of Bedford, Eſq.
He died the 16th of June 1753
in the 49th year of his age.

On a ſtone to the weſt.

EDMVND THAXTER ALDERMAN AND TWICE BAILIFF OF THIS TOWN OBIIT 16 MAY ANº. Domini 1690 Ætat. ſuæ LXII.
SARAH THAXTER, RELICT OF THE SAME EDMVND, BEFORE OF JOHN FOWLE OF THE CITY OF NORWICH ESQR. AND ELDEST DAVGHTER OF SIR GEORGE AND DAME SARAH ENGLAND obt. 13th MAY ANº. DOM. 1696 Ætat. ſuæ 57

Near the north wall, is this inſcription.

Hic requieſcit corpus Philippi Page generoſi qui obiit Ultimo die Januarii Anno Ætat. ſuæ triceſimo ſeptimo Anno Domini Mileſimo Sexcenteſimo Octogeſimo quarto.

Weſt of this, is a mural monument, thus inſcribed.

VIR AMPLISSIMVS
GEORGIVS ENGLANDVS, MILES,
GARIENIS HONOR ET GLORIA.

GENTIS

but theſe neither increaſing his fortunes
nor reſtoring his health, he returned to England,
Where, after unſucceſsful journies to Bath,
he concluded his life December 17th 1751.
To whoſe memory his much afflicted widow
has erected this monument.

On the floor, further ſouthward, on a black marble is the following.

JAMES the Son of JAMES HANNOT
died 5th Octr. 1754 aged 65 years.

M. S.
HERE LYETH THE BODY OF MARY
LATE WIFE OF JAMES HANNOT
WHO DEPARTED THIS LIFE JVNE
THE THIRTEENTH ANNO DOM.
1696 ÆTAT. XXXVII: WAITING
FOR THE RESVRRECTION OF
THE JVST.
ALSO
THE BODY OF THE ABOVE
MENTIONED MR. JAMES HANNOT
WHO DEPARTED THIS LIFE ye. 7th DAY
OF JVNE 1704 AGED 50 YEARS.
ALSO
ye. BODY OF ANN ye. LOVEING WIFE
OF CHA. LOVELL DAVGHTER
OF ye. ABOVE Sd. Mr. JAMES HANNOT
WHO DEPARTED THIS LIFE ye.

27 OF APRIL 1706, AGED 21 YEARS.
And SARAH his daughter, wife of Mr. ISAAC SPILMAN obiit 12th Sept. 1742 Ætat. 50 YEARS

As you paſs into the NORTH ISLE, *ſometimes called the* OLD CHANCEL, *to the weſt, under the arch, is the following.*

The remains
of
John Brinſley, ſenr. M. A.
And late
Lecturer in this place,
who
Deceaſed Jan. 22, 1664
aged 64.

Within the ſaid north iſle, northerly, is this.

Hic ſita eſt
Maria, filia Nath. Symonds,
Ad Garienis Oſtium mercatoris,
Et Mariæ uxoris,
Obiit Sept. die Xmo. MDCCXXXIII
Anno Ætatis XXXIV.
Et etiam Anna Mariæ prædictæ ſoror
Edvardi White cler. A. M. uxor
Amans et amabilis.
Dixiſſe potuit,
Nocturnis vigiliis et doloribus invicta
Lætor, triumpho;
Corripiat gradum, Mors furtim et lente properans

(Hoc

And on the eaſt ſide of the iron monument, is the following.

And alſo of
BENJAMIN ENGLAND
Eſq. third ſon of the ſaid Sr.
GEORGE and dame SARAH
Who died the 30th of April 1711.
He was ſeveral times bailiff,
Mayor, and member of parliament
For this town; his affection to it,
And his juſt and generous
Temper were known to moſt
And will be exceeded by few.

Near this, on the ſtoor, is this.

H. S. E.
Gualterus Saltonſtall Armr. hujus portus
nuper digniſſimus controrotulator;
Morum candore, vitæ probitate et nota in Egenos
Et cognatos charitate, ornatiſſimus.
Qui veram religionem ſanctiſſime coluit et fidem
Principi inviolatam præſtitit omnia denique amicitiæ
et ſocietatis officia rectiſſime
ſervavit
Dierum ſatur, et ſpe beatæ reſurrectionis
plenus obiit
8—die menſis Maii Aº Dni 1750 Ætatis
ſuæ 77 officii vero ſupradicti 47.

On

On a pillar, towards the weſt end, is a very neat monument, thus inſcribed.

Viator ſiſte
Hic ſitus eſt
JOHANNES HALL ad Garienis Oſtium Mercator
Inſignis felix
bonus
Morte ſcilicet proxima e proprio theſauro
nova antiqua
produxit
Herus, parens, maritus
Optimus
Numeroſa prole
Beatus orbatus
Unica ſuperſtite
Fortunam nonſemper æquam æquanimis pertulit
Rebellionis faces CAROLO SECUNDO red.
fœliciter extinctas
vidit.
Ipſa etiam pacis bona undique ſtillantia
Allubeſcente fato, ſummam induſtriam ampliſſimo reditu
compilavit
Perduellium hydram centenis etiam capitibus
Repullulantem et amputatam
Civitatem ſuam ſeditionis peſte tabeſcentem
(ut Moſes altera Piſgæ vertice) reformandam
Seipſum, præturabis antea functum
In fidelitatis reſurgentis honorem
Deſignatum conſpiciens
expiravit
A. D. MDCLXXXIV.

On

On a marble, at the foot of the pillar, is this inſcription.

Here reſts, expecting an happy reſurrection,
The body of John Hall, merchant, alderman
By the old and new charter, and twice bailiff
of this town——and in the ſame place
The body of Ann his daughter, aged
9 years, which was the 13th child that he
buried; to whoſe memory his mournful
Widow erected the adjoining monument.
He deceaſed, aged 61 years,
the 7th day of May
Anno 1684.
The memory of the juſt is bleſſed.
Prov. 10—7.
Alſo the body of Mrs. Ann Hall,
Relict of Mr. John Hall, who
dyed February 15, 1703,
Aged 69 years.

On a handſome mural monument, in the ſame iſle, is this inſcription.

Near
This place are
Depoſited the remains of
HENRY SWINDEN
Author of the Hiſtory and Antiquities
of

Great

Great Yarmouth.
Who died 11th Jan. 1772, aged 55.
To whoſe memory
This Marble is erected
By
JOHN IVES, F. S. A.

In the MIDDLE ISLE, *is this inſcription,*

Hic
Requieſcit in ſpem beatæ reſurrectionis
Henricus Church ſenator et ſemel ballivus
hujus Oppidi. Qui ——— vita ad civitatem
Dei I ——— tercio die
Januarii anno Domini M.DC. LXXVI
Ætatis ſuæ LX.

In the alley between the ſouth and north door, near the font, is the following.

Here reſteth the body
of
Chriſtopher Spendlove, ſenior,
M. A.
late lecturer of Yarmouth,
who died
December 10th anno 1665
Aged 69.

Near the weſt door, is this.

Here lieth interred the body of
Seth Hawley, alderman, and once
Mayor

Mayor of King's Lynn, who in a deſired
Voyage breathed his laſt in this
Town, buried here on the XXV of
March, anno Dom. MDCLXXVI anno
Ætatis LXVIII.

There are many other ancient ſtones, without inſcriptions, in which have been fixed plates of braſs of various forms, the matrices of which are ſtill viſible, but the braſſes were all ſent to London, in 1551, by an order of aſſembly, to be caſt into weights, meaſures, &c. for the town's uſe.

There is a chamber veſtry, in the north iſle, at the north weſt corner, in which is a library of ancient books, conſiſting of above 200 volumes, moſt of them in folio. There is alſo a curious deſk, in which are ſhelves ſo contrived as to revolve, and preſent the books on either to your hand, without letting fall thoſe on the other.

In the CHURCH YARD,

Amongſt others, are the following inſcriptions,

Upon a head ſtone.

SOLIS ET PAUCIS
NOTUS AMICIS
HIC JACET SCOTTUS.

VIVITUR INGENIO.

I.

As you pass out of the church to the west end of the church yard.

Here lieth the body
of PRESERVED, the Daughter
of Thomas Preserved Emms,
Who departed this life, in the 18th year
of her Age, on the 17th of November.
CIↃDCCXII.
SHE LIVED
Dutiful to her Parents;
Agreeable to her Acquaintance;
Charitable to the needy;
Industrious in business;
Skilful in Œconomy;
Prudent in her conduct;
Temperate in her enjoyments;
Modest in her deportment;
Comely without pride;
Religious without enthusiasm;
Patient of rebukes;
Calm under afflictions;
Possessing youth, yet resigns it;
Neither weary of life, nor afraid of death.

On the north side of the church, a tomb thus inscribed.

HIC
SEPULTUS

SEPULTUS JACET JOHANNES YATES MEDICINÆ DOCTOR, FILIUS JOHANNIS YATES THEOLOGI DE STIFKAY IN COMITATU NORFOLCIÆ, QUI ANNOS NATUS 42; EX HAC VITA AD BEATORUM SEDES MIGRAVIT AUGUSTI ANNO DOMINI 1659.

ET

QUI NOVIS TOTIES VARIOS EXPELLERE MORBOS
TERRE SIBI PROPRIÆ NON VALET ARTIS OPEM.

On the south side.

Exuvias
Antonii Ellys, Armigeri
Desiderium demissum sui
Respicientes
Hic humo mandaverunt
Superstites.
Obiit
Vicesimo nono die
Octobris
Anno Salutis
1709
Ætatis suæ 76.

On the south west side.

M. S.
Redditur terræ corpus
SARÆ uxoris
JOHANNIS JEFFERY T. P.

Archidiaconi Norwicenſis
& filiæ Johannis Ireland
Quæ obiit Feb. 8 Anno Ætatis 54.
Anno Domini 1705.

CHAP. XI.

A chronological account of ſeveral particulars relative to Yarmouth.

IN 1287, The ſea flowed into St. Nicholas's church, four feet deep, and laid great part of the town under water.

1290. Upon a marriage propoſed between Prince Edward (afterwards King Edward II.) and the queen of Scots, the ſhip-carpenters of Yarmouth had orders to build a very beautiful ſhip *(præparari navem pulcherrimam)* which was ſent to Norway for the king's daughter heireſs of Norway and Scotland.

1297. Simon Blaking, of Martham, fled into St. Nicholas' church, and confeſſed that he had broken open the houſe of one Hill, of Hemeſby, and ſtolen a bakon, value two ſhillings, and afterwards broken open the priſon of South Town, and after that, killed William

William Fitz Nicholas Blaking, of Martham, and abjured the kingdom, in the preſence of the coroner, the bailiffs of Yarmouth, &c. He was allowed port at Erwell, to tranſport himſelf in 15 days. Such papal abjuration frequently happened in this church, eſpecially in the reigns of Edward I. II. and III. The laws, in thoſe days, if the murderer could reach a church or church-yard, before he was apprehended, on confeſſion of his crimes there to a coroner, juſtice, &c. permitted him to abjure the kingdom, without taking his trial, and accordingly ſet him at liberty.

1330. The *new work*, at St. Nicholas' church, which we have before mentioned, was begun this year; the breadth of which was 47 feet, the length 107, within the walls; the latter being the breadth of the weſt end of the church, to which this was intended as an addition.

1337. The Yarmouth navy, containing 20 men of war, had orders to proceed to the ports of Dort, in order to convoy the king's four plenipotentiaries to the court of Hainault, from thoſe parts to England. In their return, they took two Flemiſh ſhips, laden with men, money, and proviſions for Scotland, with the biſhop of Glaſgow on board, who died of his wounds at Sandwich.

1338. This year Yarmouth fitted out a fleet of men of war, well equipped, to go againſt the enemies at ſea, for the ſpace of a month, at their own coſt and charge.

1342. King Edward III. embarked on board the Yarmouth ſquadron, in his expedition to Britanny.

This year the principal inhabitants were fined 1000 marks, for committing treſpaſſes, and other unwarrantable acts, on the ſea coaſt.

1347. In the ſiege of Calais, Yarmouth furniſhed the king with 43 ſhips, and 1075 mariners; whence it appears, that this town ſent more men than any ſea-port in the kingdom except London, a matter at this time, not a little extraordinary.

1352. Yarmouth, this year, gave to the college of Windſor, a laſt of red herrings, to be delivered annually for ever; concerning which, many diſputes have ſince happened.

1368. John Lauwes hanged for exporting ſeven ſacks of wool out of Kirkley road, without paying the cuſtom.

1382. This year King Richard II. paid a viſit to this town, amongſt others, in June.

1386. Sir Henry Percy and Faux Percy ſent to Yarmouth with 300 men at arms, and 600 archers, to guard the coaſt, an invaſion from France being apprehended.

1403. This year Henry IV. with the conſent of parliament, grants that the ſhipping of wool, hides, and ſkins, together with the packing and weighing of wools, &c. which then uſed to be at Lynn and Ipſwich, ſhould from thenceforth be at the ſaid town of Yarmouth, and no where elſe within the counties of Norfolk and Suffolk, during the king's pleaſure. This was in conſideration of its being a frontier town, and liable to invaſions by the enemy, &c.

1427. The bridge firſt built over the river, where there had been a ferry-boat before.

1454. This year John Bowyer, organiſt, with ten others, amongſt whom was Richard Southwell Eſq. member for Yarmouth, received their freedom for 26*s.* 8*d.* each.

1463. John Pedle, labourer, of Yarmouth, for coining and uttering 18 groats made of copper and lead, as good and lawful money of England, was tried, condemned, and hanged.

1491. A large porpus was ſent from Yarmouth, as a preſent to the earl of Oxford.

1511. South town united with Gorleſton.

1515. The French queen, and Charles Brandon, duke of Suffolk, her huſband, came this year to Yarmouth, and were entertained

by the town three days. They were ſo well ſatisfied with the urbanity of the people and the ſituation of the town, that they promiſed to prevail on the king to pay a viſit to Yarmouth.

1541. Thomas Alleyn, ſhoemaker, and Thomas Hamond, merchant, both of Yarmouth, were fined 2*s.* each, for merchandizing, bargaining, and ſelling a laſt of white herrings in the church, in the time of divine ſervice, the 2d of November.

1553. The draw bridge firſt built.

1554. This year fifty ſail of ſhips were loſt in one day and night.——The haven very bad, and a fire-beacon erected on the top of the caſtle.

1555. The hermitage, on the weſt ſide of the haven, was this year given to the town.

1562. John Berry, one of the eight-and-forties, at an aſſembly holden April 29th. was expelled the ſociety, "for that he ys a whore-"maſter, and lyveth ungodly with ſundry "women, as he hath openly confeſſed and "ſworne to the ſame."

1563. Herrings were ſo ſcarce this year, that green or freſh herrings were ſold for 9*l.* a laſt, and upwards.

1569. This year a laſt of herrings and a tun

tun of wine were of equal value, either being ſold for 8*l.* at this town.

1570. Yarmouth bridge was this year broken down, and carried away by a rapid tide, which coſt to rebuild it 403*l.* 15*s.* 9*d.* notwithſtanding 225*l.* had been expended on it, in repairs, the year before.

1578. Great preparations were made at Yarmouth, for the entertainment of Queen Elizabeth, who was expected there, by the way of Suffolk; a ſilver cup, in form of a ſhip, which coſt 16*l.* was made on purpoſe to be preſented to her majeſty; but ſhe came no further than Norwich, whence the lords of her retinue came to Yarmouth, and was elegantly entertained in the priory, at the town's expence.

1579. A grievous plague at Yarmouth, which carried off there, between May and Michaelmas, about 2000 people. On this account the grammar ſchool was ſhut up for half a year; and a letter was received by the bailiffs, from the mayor, aldermen and ſheriff of Newcaſtle, forbidding the people of Yarmouth to come thither for coals, &c.

1582. This year *Scrotby Sand* (ſo called from its ſituation near a ſmall village of that name, on the coaſt) was ſwept away by a ſtrong

ſtrong eaſterly wind and tide, and became ſea again, having emerged from the water but a few years before, and formed itſelf into a ſmall iſland. About 1578, it became intirely dry land, and raiſed its head ſo much above high-water mark, that graſs, &c. grew on it, and ſea fowls made choice of it for the building their neſts, ſo that it was in fact a ſmall iſland; whither many of the Yarmouth people uſed to go, in the ſummer ſeaſon, in order to paſs an agreeable day, in ſuch recreations as their fancy led them to. Hence it appears that on Auguſt 2, 1580, the bailiffs with a reſpectable company of gentlemen, burgeſſes, mariners, &c. went down to take formal poſſeſſion of this ſpot, by the name of *Yarmouth iſland*, where they all dined, and ſpent the day in feſtivity. From the circumſtance of its appearance, they did imagine that it would ſoon accumulate, and become of ſome importance to the town. Sir Edward Clere, Knt. therefore, oppoſed them in the poſſeſſion of it, claiming it himſelf, as parcel of his manor of Scrotby, and for that purpoſe erected a frame of timber upon it as a teſtimony of his claim. It was the more eagerly contended for, on account of the many valuable goods that were often caſt aſhore there, from ſhips

loſt

loſt on the coaſt, particularly this year, (1582) when ſeveral parcels of ſilk, wax, &c were found there, and carried to Yarmouth, in ſpite of Sir Edward's claim. The conteſt, however, was of ſhort duration. The ſea put in its more powerful claim, received again its property, and left Sir Edward and the people of Yarmouth "not a wreck behind," whereby to keep alive the fruitleſs conteſt.

1610. This year the gutters and drains on the key was neatly covered over, which contributed much to the convenience of the place, as they had before been a great nuſance.

1611. A great ſcarcity of herrings this year, a laſt of Windſor herrings being ſold for 15*l.* 5*s.*

1614. This year 100 Jacobus's were preſented to King James, by the town, as a mark of their loyalty and affection to him.

1625. On December the 29th, this year, an order was made that *no poor people ſhould be married*, unleſs they ſhould firſt procure the hand writing of the alderman and chief conſtable of the ward wherein they lived, for that purpoſe.

1631. An agreement made with the poſtmaſter of Ipſwich, to pay him 20*s.* a quarter, for bringing and carrying letters to and from

Yarmouth

Yarmouth to London, for the uſe of the town.

1633. The ordinance which had formerly been made, enjoining all the aldermen's wives to wear velvet hats only, was this year annulled.

1642. The town collected 136*l.* for the relief of his majeſty's diſtreſſed ſubjects in Ireland.

1653. The 29th of Auguſt, this year, General Monk, being in Alborough road, granted his warrant to free the Yarmouth fiſhermen in the herring fair from being impreſſed into the ſervice of the ſtates.

1659. There having been a terrible fire at Southwold, in Suffolk, by which three-fourths of the town was laid in aſhes, and the inhabitants thereby ſorely diſtreſſed, Yarmouth humanely ſent the poor of that place twenty combs of wheat, ten of rye, and ten pounds in money.

1662. At a ſeſſions holden the 10th of December, one James Smith was fined ten pounds, and to be impriſoned till the money was paid, for ſpeaking the following diſreſpectful words of Sir Thomas Medowe, one of the bailiffs: "He is a fool, and I have "killed a bull of 30*s.* that had better brains "than Sir Thomas have."

1664. Died of the plague here this year,

2500 perſons; amongſt whom were both the miniſters of Yarmouth church.

1667. This year the overſeers of the poor got a die to coin farthings, at which the king was much offended; and, therefore, in 1673 Lord Townſend was prevailed on by the town to petition the king in their behalf, that he would be pleaſed to pardon the offence; the expences in which coſt the town 90*l.*

1671. On the 27th of September, King Charles II. with the duke of York, and many of the nobility, came to Yarmouth, and were elegantly entertained by the corporation, which coſt them a thouſand pounds. They preſented the king with four golden herrings and a chain, value two hundred and fifty pounds.

1672. The duke of York's ſhip being in Southwold bay, the town ſent him, as a preſent, a hogſhead of white wine, two tierces of claret, ſix ſheep, ſix lambs, a cheſt of lemons, and one hundred fowls and freſh fiſh.

The 28th of May, this year, the Engliſh and Dutch fleets came to an engagement in the abovementioned bay, during which the report of the guns was heard at Yarmouth.

1677. Captain Booth, for ſtabbing a ſeaman in the town, was executed here; and the

town

town paid 3*l.* 13*s.* to the guard, which was thought neceſſary to attend his execution.

This year, alſo, the ground betwixt the walls and the eaſt ſide of the town, from the market place to the Frier's Lane, was ſold for 2265*l.* 17*s.* 6*d.* to ſundry perſons, to build upon.

1678. The ground between the walls and the new buildings was levelled, the rope-makers' poſts pulled up, and the whole made fit for paſſage.

1681. The whole body of freemen this year claimed a right of electing members for the town, and accordingly choſe Sir James Johnſon Knt. and George England, Eſq. Before this, the corporation had uſually taken upon them this buſineſs, ſometimes by a majority of the aſſembly, ſometimes by an inqueſt of 6 aldermen and 6 common-council-men.

1683. St Nicholas's ſteeple (being of wood and lead) was ſet on fire by lightning, and extinguiſhed by one John Grice, for which ſervice the corporation voted him their thanks and a piece of plate of the value of ten pounds, for his activity; and in 1695 the ſaid John Grice had four pounds paid him for taking down and putting up the vane of the ſaid ſteeple.

1685.

1685. Sir Henry Sheers, a ſkilful engineer, came this year to Yarmouth, to ſurvey the haven and piers. He had his entertainment at the Three-Feathers inn, gratis, 100 guineas for his trouble, and 40*s.* a day for his coachman when traveling, 30*s.* when lying ſtill.

1687. Prince George of Denmark landed at Yarmouth, the 12th of Auguſt, whence he went poſt, the ſame day, for Windſor.

1692. King William III. landed here, October 18th, and was elegantly entertained by the corporation, the expence of which was 106*l.*

1712. Near twenty perſons, in their paſſage hence, for Norwich in a wherry, were drowned in Braydon.

1718. It was agreed this year that the two laſt, and every ſucceeding mayor, ſhould receive 100*l.* each, in lieu of the fiſhing thouſand.

1729. A contribution of 50*l.* was raiſed by the town, for the relief of the Engliſh priſoners at Mequinez.

1734. This year a ſubſcription was ſet on foot, by which were purchaſed a golden chain, and an appendant medal, having the arms of the corporation on one ſide, and a ſhip under ſail on the reverſe, to be worn by

every

every mayor of the corporation during his reſpective mayoralty, for ever. The whole coſt 166*l.* and 3*d.* but the medal was ordered to be ſold in 1746, in order to purchaſe an additional length of chain with the money.

1737. King George II. landed at Loweſtoft, the 14th of January.

1744. Samuel Killet, Eſq. alderman, gave to the corporation a ſilver oar, double gilt.

1758. An act for the better recovery of ſmall debts, within the liberties of the burgh, was this year obtained.

1759. The ſea-baths were this year built, which coſt near 2000*l.*

1766. This year, on account of the very enhanced price of proviſions, a ſubſcription was ſet on foot here, for ſupplying the poor with bread, at a reaſonable rate. It was liberally ſupported by the inhabitants; corn was bought, a baking office hired, and the ſupply was conducted in the following manner.

The poor of each ward were to apply to the ſubſcribers of their reſpective wards for tickets, which were regiſtered, and numbered correſpondent to the ſame number in a regiſter book kept on purpoſe, wherein, againſt each number, was the name of the pauper, his occupation, the number of his family

family, and the loaves which were to be delivered. Each ward had particular hours of application, to prevent confuſion. Thus on producing the ticket, the regiſter was referred to, and the number of loaves delivered accordingly, at *three-pence* the quartern loaf, weighing 4*lb.* 14*oz.* when a ſimilar loaf, with 11oz. leſs weight, was ſold by the bakers for *five-pence*. This very ſeaſonable relief continued from the 8th of January, to the 25th of April 1767, in which time upwards of ſixty thouſand loaves were diſpoſed of in this laudable manner.

A GLOSSARY.

Explaining ſome particular terms and obſolete words which occur in the foregoing Hiſtory.

Anchorage. A Duty levied on ſhips, for liberty to anchor in any port.

Combat, (French) In the old laws of this kingdom, was a mode of determining a doubtful caſe, in which, ſufficient evidence being wanting, on the defendant's pleading *not guilty*, it was at his option to be tried by God and his country, as at preſent, or reſt his deliverance upon God only, by challenging the plaintiff to the combat, (*facere duellum*) in which if the defendant had the advantage, or could defend himſelf till after ſun-ſet, upon his

his demanding judgment, it was to be given in his favor, on a ſuppoſition that the juſtice of Providence would never ſuffer the guilty to triumph in his wickedneſs.

Danegeld, or *Danegelt*. (*Dane* Daniſh, and *gelt* money, from the Dutch.) This was a tax laid upon our Saxon anceſtors by the Danes, on a pretence of their clearing the ſea of pirates. It was at firſt 12*d*. and afterwards 2*s*. upon every hide of land in the kingdom.

Den and Strond. The liberty of ſhips to come or lie aſhore at any place.

Dole. The profit or advantage ariſing from the labour, the uſe of the nets, lines, &c. of any fiſherman employed in the fiſhery, in the veſſel of another perſon.

Fee-farm. A term for perpetual rent, by which tenure many poſſeſſions were held; farm or ferm (from the French *ferme*) ſignifying rent.

Flotſon. (from the French *flotter*, to float) This differed from *wreck at ſea*, only in that it ſignified goods loſt by ſhip-wreck and *floating* on the water.

Frank-pledge. This was an antient cuſtom borrowed from the Lombards, by which a number of neighbours entered into recipro-

cal obligations to the king, for the preſervation of the peace in each other. This every man (the clergy excepted) was obliged to do at the age of fourteen, or be committed to priſon. When any one offended, enquiry was made of what *pledge* he belonged to, which being known, the members thereof were obliged to produce the delinquent in thirty-one days, or make ſatisfaction for the offence. Theſe recognizances were uſually entered into at the county-courts before the ſheriff, which official authority received the appellation of *view of frank-pledge*.

Jetſon. (from *jetter*, to throw, French) This was applied to ſuch things as were obliged to be thrown overboard to lighten a ſhip in diſtreſs, and were thence driven aſhore.

Infangthief, *infangenethef*, or *infangthef*. (from the Saxon *in*, *fang* to take, and *thef* or *theof*, a thief) A privilege to try thieves and felons taken within the limits of any place to which it was granted.

Kayage. The ſame as wharfage, or money collected for goods landed on, or ſhipped off the key, for its reparation and ſupport.

Lagan, (from the Saxon *liggan*, to lie down) A term uſed for goods loſt at ſea, and ſunk in the water.

Laſtage,

Laſtage, or *leſtage*. (from the French *leſt*, ballaſt) A cuſtom paid by every ſhip for the privilege of taking in ballaſt.

Levage, or *leve*. (from the French *lever* to raiſe) A cuſtom of two-pence per ton levied on all goods landed at Yarmouth, or *raiſed* out of one veſſel into another.

Miſkenning. This term is compounded of the *mis* at this time uſed in compoſition, to ſignify oppoſition to, or the reverſe of the word to which it is joined, and the Saxon *Cenninga*, ſignifying a notice given by the buyer to the ſeller, that the thing bought was claimed by another, and calling upon him to juſtify the ſale. Hence *miſkenning* imports a fraudulent ſummoning of the ſeller to court, in order to frighten him into the payment of accommodation money.

Murage. (from the latin *murus*, a wall) A tax levied for the ſupport of the public walls, &c.

Naam. (from the Saxon *niman*, to take hold of) This term was applied to the taking or diſtraining another man's goods for default of rent, &c.

Outfangthief, &c. The reverſe of *infangthief*, that is *ut*, *fang*, *thef*, or an out-taken thief. A privilege whereby the corporation can

demand any perſon belonging to their own precincts, apprehended for felony in any other place, and try him in their own court.

Paage, alſo *paſſage*. The excluſive right of collecting monies by means of a ferry &c. over the river.

Pannage. Money taken by the king's agiſtors, for the privilege of feeding hogs in the king's foreſts.

Picage or *piccage*. An ancient cuſtom paid at fairs &c. for breaking the ground, or liberty of fixing up booths, ſtalls, &c.

Pontage. (from *pons* a bridge, Latin) A toll taken for paſſage over a bridge, or a contribution for its maintenance or ſupport.

Sac, (from the Saxon *ſac* or *ſaca*, a cauſe) Signifies a privilege of holding a plea, in cauſes of treſpaſs, and of impoſing fines and amerciaments thereon.

Soc. (*Saxon*) The power of adminiſtring juſtice and executing the laws of the land.

Stallage. The ſame as *picage*, which ſee.

Stowage. A cuſtom of two-pence per ton levied on all goods put, or ſtowed, into any veſſel at Yarmouth.

Strond. See *den and ſtrond*.

Theam,

Theam, theme, or *team.* A power to have, reſtrain and judge their bondmen and villains, with their children, goods and chattels, wherever they ſhould be found in England.

Thol, tol, or *tolne.* (Saxon) a payment in towns, markets, and fairs, on goods and cattle ſold therein. It was alſo uſed to expreſs the exemption from, as well as the liberty to take tolls.

Tronage. An antient cuſtom taken for weighing wool; and it appears here to ſignify a duty on weighing goods in general.

Waif. (Saxon *Waſian*) A term applied to ſuch goods as a thief, having ſtolen, on his being cloſely purſued, waves or leaves behind him, and which become forfeited to the king, or the lord of the manor on which they are found. *Waifs and eſtrays,* is a term alſo applied to things loſt, which are forfeited to the lord of the manor, when found, after having been duly publiſhed in the markets &c. and no owner appearing.

Wreck at ſea. This ſignifies goods &c. found on the ſhore, from any ſhip wrecked or loſt on the coaſt, provided no living creature be ſaved, in which caſe, tho' the ſhip ſhould come aſhore intire, it would be deemed

a

a *wreck*. But if any thing eſcape alive, tho' but a dog or cat, the owner of the veſſel or goods may come within a year and a day, and making his claim and proving his property, they ſhall be reſtored to him; otherwiſe they belong to the lord of the manor.

FH
MVSEVM
BRITANNICVM

INDEX.

INDEX.

Page

GARIANONUM. Opinions of ſeveral authors on its ſituation — — — — 2
Lothbroch, a Dane, a remarkable ſtory of him — — 8
Charter of Edward III. for uniting *Kirkley-road* to Yarmouth 18
———— of Richard II. for making a *ſecond* new haven — 23
A *third haven* granted by Henry IV. — — — 27
Reſolutions for the *repair of the haven* in the time of Rd. III. 30
A *fourth haven* granted by Henry VII. — — — 32
A *fifth* Ditto — — — Ditto — — — 33
A *ſixth* ditto, granted by Edward VI. towards which the plate &c. of St. Nicholas's church was ſold, and ſeveral contributions made — — — 35
The materials, &c. for the haven deſtroyed by the adherents of the rebel *Kett* — — — 37
The preſent haven, being the *ſeventh*, made in the reign of Elizabeth — — — 41
A *Lottery adventure* for the ſupport of the haven — — 46
Curious poetry tacked to the ſeveral ſubſcriptions — — 47
Another *Lottery adventure* with its attendant *poetry* — — 50
Duplicity of the Yarmouth people, in their different addreſſes to king Charles II. and the parliament — 54
A riot by the people of Loweſtoft, on the ſheriff's reading there the charter of Richard II. for uniting Kirkley Road to Yarmouth — — — 61
King Richard II. viſits Yarmouth in perſon, viewing the harbour &c. — — — 63
———— his charter for confirming the union of Kirkley road to Yarmouth, &c. ſtill in force — — 64
Charter of Edward III. in confirmation of privileges, againſt the

the claims of the earl of Richmond, lord of Lothingland — 90
Outrages and depredations of the people of *Little Yarmouth* and *Gorleſton* — 96
Order and decree of the privy council of Queen Elizabeth, for finally ſettling the diſputes between *Yarmouth* and *Gorleſton*, according to the arbitration of *Sir Henry Heydon* and *Sir William Butts Kts.* — 101
Articles of agreement ſubſcribed to, agreeable to that award 109
A new town planned by Sir Robert Paſton — 117
Surrender of all the town's charters to Charles II. — 118
A new charter obtained of that king, confirming their former rights — 119
Conteſt with Caſtor, concerning Grub's haven — 120
Final determination of this controverſy by commiſſion — 123
Diſpute with Norwich on a demand of *Cranage* — 124
Origin of the *government* of Yarmouth — 128
Some conjectures as to the firſt *building and fortifying* Yarmouth — 130
The *chapel and St. Nicholas's church* built by biſhop Herbert 131
Reeves and *Proveſts* the firſt governors, nature of their office 132
King John's charter — 134
The election of *four bailiffs*, &c. — 139
——— of *two bailiffs*, only — 144
Attempt to alter the mode of government from that of bailiffs to a mayor — ib.
Jeffry Neve expelled for projecting this ſcheme † — 130
George Hard-ware expelled and diſfranchiſed for ſimilar conduct — *138
Reſtored by order of privy council — *140
A mayor granted by King Charles II. — *144

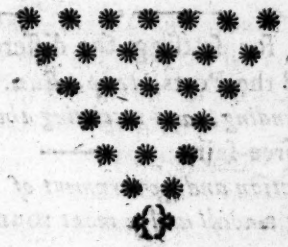
Bailiffs

† *There having been an error in paging* Sheet L. *it is requeſted the reader will diſtinguiſh thoſe pages (beginning at* 130, *and ending with* 145*) with an Aſteriſk.*

Bailiffs reſtored by proclamation of James II. —— ib.
Petition to Queen Anne for a *mayor* —— 146
Queen Anne's charter for incorporating the town by the name of mayor, aldermen, &c. as it now continues 149
Liſt of bailiffs and mayors —— —— 188
Particular cuſtoms &c of the burgh of Yarmouth —— 211
Twelve Zealanders arreſted at Yarmouth, as a repriſal for a ſhip plundered and carried off in Zealand — 247
Origin of Yarmouth *free fair* —— —— 249
The *Cinque Ports*, their origin and connections with Yarmouth —— —— ib.
Violent outrages between Yarmouth and the Ports —— 253
The Herring ſtatute, enacted in conſeqence of theſe diſputes *temp. Edw.* —— —— 256
Commiſſioner's award for ſettling the differences between Yarmouth and the Ports, *temp. Eliz.* —— 265
Manner of *electing, ſending, and receiving the Ports' bailiffs* at Yarmouth free-fair —— —— 269
Articles for the *regulation and government of the free-fair* 274
Grant for the making a *wall and a moat* round Yarmouth by Henry III. —— —— 277
Murage rates and collections —— —— 279
The country aſſiſtance called in, to ſtrengthen the fortifications, fearing a deſcent from the *Spaniſh Armada* 286
Norfolk enjoined to find a ſhip by Charles I. —— 309
Allegations of the people of Yarmouth againſt their propoſed contribution —— —— —— 310
Yarmouth declares for the parliament, againſt the king — 312
Curious addreſs of the corporation to Oliver Cromwell s ſon — 317
Addreſs to Charles II. and recantation of the former 321
St. Nicholas's church, its dedication, dimenſions, antient valuation &c. —— —— 322
Rood-lights, ſome account of them —— 325
An annual *breakfaſt* given to the town by the farmer of the parſonage —— —— —— 330
Diſpute with the dean and chapter of Norwich, concerning the right of preſentation — —— — 334
Articles of agreement between the miniſter and lecturer — 340

Other

Other atticles ſettled by the biſhop of Norwich — — 342
Inſtances of the *miſconduct, and libertiniſm of the popiſh clergy* at Yarmouth — — 345
Bequeſts to the church — — 347
Diſturbances in the church, on religious accounts, in the time of Henry VIII. — — 351
Monumental inſcriptions, &c. — — 353
A chronology of ſeveral matters relating to Yarmouth — 388
Scrotby ſand, or *Yarmouth iſland*, diſappeared — 393



FINIS.